Middle Phase
OF
Muslim Political Movement

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by

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Preface

There has been insistent demand that the story of the Muslim political movement narrated in the book 'Early Phase of Muslim Political Movement' should be carried further and the period following the conclusion of the Lucknow Pact in 1916 should be covered. This period, except for the brief, yet spectacular, interlude of the Khilafat and the Non-co-operation Movements of 1920-22, represents a phase of apathy and disarray in so far as the Muslim political life and activity were co[illegible]rned. Perhaps this was inevitable. The Muslims made [illegible]es and underwent sufferings out of proportion to their resources and numerical strength. Their hopes, raised to a high pitch were suddenly dashed to the ground. This naturally [illegible]haustion, disillusionment, disappointment and apathy [illegible]Muslim ranks.

[illegible] 1922 to 1937, which may be regarded as the middle [illegible]he Muslim political movement, the Muslims as a [illegible]unity suffered from lack of clear political thinking, absence [illegible] well-defined national purpose and consequent political [illegible]a, which was relieved only by short-lived spurts of [illegible]n there was a serious challenge to their national [illegible]duality of which they had not completely lost conscious[illegible] One difficulty with which a writer who deals with this [illegible]aced is the inadequacy of the available source [illegible]erial. I have tried to build up the narrative on the basis of whatever material I could possibly have access to and also my [illegible]wledge of the events which I myself observed.

History is a continuous process. One phase leads to another. A knowledge of the middle phase of the movement is essential

for a proper understanding and assessment of the factors which led the Muslims to give up the efforts to secure minority safe-guards and launch upon a meaningful and vigorous struggle aiming at their emancipation as a nation in its own right.

It is my pleasent duty to thank the Publishers, particularly Mr. Mohammad Amin, for their sustained interest in the publication of these volumes concerned with the political movement and freedom struggle of the Muslims of the sub-continent.

JAMIL-UD-DIN AHMAD

Rawalpindi,
2 September, 1969.

CHAPTER ONE

REPRESSION AND REFORMS

The formulation and adoption of a joint scheme of constitutional reforms by the two major political parties—the Congress and the Muslim League—was a significant event. It confronted the British Government with a united demand of the Indian peoples and was an effective reply to the British diehards' contention that constitutional progress was not possible because of the mutual differences of the Indians. The movement for the achievement of self-government received a great fillip by the organisation of a body called Home Rule League under the leadership of Mrs Annie Besant who had made India her home. Her passionate advocacy of the cause of India's freedom alarmed the Government which interned her along with her associates in June 1917. The news of her internment provoked great indignation and strong demonstrations throughout the country. Mr M.A. Jinnah as an ardent champion of civil liberties immediately joined the Home Rule League and was elected as President of its Bombay branch.

Addressing a crowded meeting in Bombay on 30 July 1917, Mr Jinnah said that if Government's policy were accepted, all constitutional and lawful agitation would in effect be stopped and the freedom of speech and right of public meeting would henceforth be regulated by the arbitrary judgment of a Provincial Government or Governor. He declared: "We protest against the internment of Mrs Besant and her co-workers not only on principle but also because it is an attempt to intern the Home Rule or self-government scheme of reforms framed and adopted conjointly by the Indian National Congress and the All-India

Muslim League."[1] Believing that British statesmanship had not come to the point of utter bankruptcy, he appealed to it to lose no time "in making a declaration of policy for making India a self-governing member of the British Empire at an early date and order a reversal of their policy".[2]

A joint meeting of the All-India Congress Committee and the Council of the All-India Muslim League held on 17 July appointed a deputation of four persons to proceed to England for the purpose of explaining the general political situation in India and sponsoring the League-Congress scheme of reforms. The meeting also emphatically protested against the Government's policy of repression and against the attempt of the Viceroy, some of the Governors and a few of the British statesmen to misinterpret and misrepresent the principles of the memorandum of the nineteen members of the Imperial Legislative Council which was on the same lines as the League-Congress scheme.

The War had not gone well for the British in Mesopotamia (Iraq). The mismanagement of this campaign was severely criticised by Edwin Samuel Montagu in the House of Commons. He attacked the Indian Government as "far too wooden, far too iron, far too inelastic and far too antediluvian" which he held responsible for inadequate supply of men and materials from India. This criticism led to the resignation of Sir Austen Chamberlain, Secretary of State for India, and the appointment in his place of Mr Montagu. His appointment was welcomed in India, for he was known to be a statesman of broad outlook and wide sympathy with firsthand knowledge of conditions in India. Soon after his appointment Mr Montagu, in keeping with popular expectation, made the following statement of policy regarding India in Parliament on 20 August 1917:

> The policy of His Majesty's Government, with which the Government of India are in complete accord, is that of the increasing association of Indians in every branch of the Administration, and the gradual development of self-governing institutions with a view to the progressive realisation of responsible Government

1. M.H. Saiyid, *Mohammed Ali Jinnah: A Political Study*, pp. 109-10.
2. Ibid., pp. 110-11.

in India as an integral part of the British Empire. His Majesty's Government have accordingly decided, with His Majesty's approval, that I should accept the Viceroy's invitation to proceed to India and to discuss these matters with the Viceroy and the Government of India to consider with the Viceroy the views of local governments and to receive with him the suggestions of representative bodies and others. . . .?Ample opportunity will be afforded for discussion of the proposals which will be submitted in due course to Parliament.[3]

The announcement naturally was well received in India. It marked a significant departure from the previous statements of British policy. In the previous schemes of administrative reforms, for instance, the Cross-Lansdowne proposals of 1890 and Morley-Minto Reforms of 1909 there had been no indication of any desire to transfer real power and responsibility to Indian hands. According to the testimony of the Aga Khan: "in the original draft which went to the Cabinet the words 'self-government' were used ; Lord Curzon—of all people—changed them to 'responsible government'."[4] The British statesmen might or might not have realised it, but the phrase naturally implied that those who exercised responsibility had to be responsible to someone. Elected legislatures already existed in India; their enlargement was contemplated. The inevitable consequence of the introduction of the principle of "responsible government" would be the establishment of a government responsible, in greater or lesser degree, to an elected legislature.

Mr Jinnah, who had worked so earnestly for the League-Congress *rapprochement* and the joint scheme, was pleased with these developments. In a press interview he said that Mr Montagu's appointment was understood in India as recognising the aspirations of the Indian people for the early grant of self-government, but he pleaded that before the new Secretary of State set to work there should be a general amnesty and all those interned as political prisoners be released.

According to the announcement Mr Montagu accompanied by his advisers arrived in India on 10 November 1917. They sat

3. C.H. Phillips, *Evolution of India and Pakistan*, pp. 264-5,
4. *The Memoirs of the Aga Khan*, p. 146.

in Delhi and toured the country, visiting important towns, receiving deputations of persons representing different schools of thought and giving interviews to leaders of different shades of opinion. It also had consultations with members of the Government of India, heads of Provinces and ruling Princes. Mr Montagu recorded his impressions of the Indian leaders in his diary. His remarks about Mr Jinnah being of particular interest are reproduced below:

> We were face to face with the real giants of the Indian political world. We had not these dupes and adherents from the Provinces but we had here a collection of the first-class politicians of the various Provinces. . . . They were followed by Jinnah, young, perfectly mannered, impressive-looking, armed to the teeth with dialectics, and insistent upon the whole of his scheme. All its shortcomings, all its drawbacks—the elected members of the Executive Council, the power of the minority to hold up finance—all these were defended as the best makeshifts they could devise short of responsible government. . . . I was rather tired and I fanked him. Chelmsford tried to argue with him, and it is, of course, an outrage that such a man should have no chance of running the affairs of his own country.[5]

The Anglo-Indians and Europeans in India and the diehards in England mounted a propaganda campaign against the grant of constitutional reforms to India. Lord Sydenham, an ex-Governor, attacked the Scheme of Reforms and alleged that the demand for reforms was inspired by outside agencies. Refuting Lord Sydenham's allegations at a public meeting in Bombay, Mr Jinnah said: "Lord Sydenham, that reactionary who enjoyed the hospitality of this country and earned a fat salary from the coffers of its exchequer has been carrying on an agitation which is discreditable to any man. He says 'as soon as the masses, for whom we are the trustees, are fit for self-government, we shall instantly hand over the government to the people'. Well, gentlemen, all I can say is this. When the masses are fit for self-government they will not go to Lord Sydenham for self-government".[6]

In keeping with past tradition the All-India Muslim League

5. M.H. Saiyid, op. cit., p. 116. 6. Ibid., p. 118.

and the Indian National Congress again held their annual sessions simultaneously in December 1917 at the same place, Calcutta. The president-elect of the Muslim League session was Maulana Mohammed Ali. Since he was in detention his portrait was placed in the chair. The regular President of the League, Raja Mohammed Ali Mohammed Khan of Mahmudabad, was so moved by the Muslims' inability to secure the release of Maulana Mohammed Ali that he recited the following line of Bahadur Shah Zafar:

Bat karnee hamen mushkil kabhi aisi to na thi;
Jaisi ab hai teri mahfil kabhi aisi to na thi.

[We never found it so difficult to talk in the past; thine company never was as it is to-day.]

The main resolution at the League session reaffirming support to the joint League-Congress Scheme of Reforms and calling for its implementation was moved by Mr Jinnah. There had been some criticism from a section of Muslims that the Scheme of Reforms might result in the establishment of a Hindu-dominated government. Rebutting this criticism, Mr Jinnah in his speech made a very important pronouncement which was a clear and bold enunciation of his political creed and stand. He said:

> It is said that we are a minority and that it might afterwards become a Hindu Government. I want to give an answer to that. I particularly wish to address my Muslim friends on this point. Do you think it is possible that this country could become a Hindu Government? Do you think that Government could merely be conducted by ballot boxes? Do you think that because the Hindus are in the majority, they would carry a measure in the legislative assembly and there is an end of it? If seventy millions of Muslims do not approve of a measure, do you think it could be enforced and administered in this country?[7]

This emphatic statement clearly shows that Mr Jinnah's nationalism was not a mere emotional slogan; it was based on a rational appreciation of the realities of the situation in the

7. Ibid., p. 119.

subcontinent. It is evident from his declaration that he was throughout consistent with his creed. What he felt and said in 1917 was in no way incompatible with what he advocated thirty years later.

The Congress session at Calcutta passed a resolution on the question of reforms on the same lines as the League had done. Mr Jinnah was one of the principal speakers who supported the resolution at the Congress session. While the sober-minded leaders of the Muslim League and the Congress were trying to keep up a joint political front of the Hindus and the Muslims, the Home Rule League's agitation took on a religious complexion. Mrs Besant herself declared: "Home Rule has become so intertwined with Religion by the prayers offered up in the great Southern Temples – sacred placed of pilgrimage – and spreading from these to village temples, and also by its being preached up and down the country by Sadhus and Sayasis."[8] This kind of agitation, while arousing political consciousness among the Hindus, also created in them religious fanaticism. This naturally led the Hindus and Muslims to think of adopting different methods for the realisation of the same goal. The religious appeal of Home Rule League propaganda resulted in the outbreak of Hindu-Muslim riots in certain places. A serious riot took place at Arrah in Bihar in which the Muslims were the victims of Hindu frenzy. A resolution condemning the Hindu excesses at Arrah was moved by Syed Raza Ali at the session of the All-India Muslim League. He deplored the conduct of the Congress leaders in not disapproving the action of Hindu fanatics at Arrah.

Mr Gandhi was gaining prominence with his efforts to inject religious zeal into political life. His attitude is evident from a letter which he wrote on the question of cow-protection to *The Statesman* of Calcutta as follows:

> Rightly or wrongly worship of the cow is ingrained in the Hindu nature and I see no escape from a most bigoted and sanguinary strife over the question between Christians and the Muslims on the one hand and Hindus on the other, except in

8. Ibid., p. 121.

the fullest recognition and practice by the Hindus of the religion of Ahimsa. . . There is not a Hindu throughout the length and breadth of India who does not expect one day to free his land from cow-slaughter. But contrary to the genius of Hinduism, as I know it, he would not mind forcing even at the point of the sword either the Christian or the Muhammadan to abandon cow-slaughter.[9]

The turn which Mr Gandhi was trying to give to the political movement resulted, after some time, in undoing the good work done by liberal-minded Hindu and Muslim leaders. The movement, when it came under Mr Gandhi's leadership, went off the rails, and the unity of thought and action built up by Hindus and Muslims through frank recognition of one another's position and rights yielded place to distrust and tension.

The year 1918 was marked by some events which showed the unimaginative policy of the British authorities. The members of the Home Rule League's Delegation headed by Mr B.G. Tilak were stopped in Cape Town on their way to England and their passports were cancelled, although the Viceroy, Lord Chelmsford, appealed on their behalf to His Majesty's Government. Mr Jinnah on behalf of the Home Rule League protested against this order and appealed to the British Government to rescind it.

The Government of India, on receiving instructions from His Majesty's Government to enlist greater support from the Indian public for the successful prosecution of the War called a War Conference at Delhi. The atmosphere had been vitiated by the arbitrary action taken by the British Government against the Home Rule League delegation. Mr. Jinnah again rose to the occasion and espoused the popular cause. He placed before the Conference a resolution on constitutional reform which was ruled out by the Chairman, the Viceroy. In a short speech Mr. Jinnah explained that war measures were in no way prejudiced by taking up questions relating to constitutional reforms. He assured that every Indian was ready to make sacrifices in defence of the Empire. The attitude taken by the

9. M.H. Saiyid, op. cit., p. 124.

Viceroy in barring even a discussion of constitutional reform caused great resentment in the country.

The Delhi Conference was followed by a Provincial War Conference in Bombay held by the Governor, Lord Willingdon, in June 1918. In his speech Lord Willingdon cast aspersions on the intentions and sincerity of the Indian leaders, particularly those of the Home Rule League. He alleged that "they have not given the help to Government that I think I was fully entitled to expect from them in these critical days; indeed, I must frankly say that their object seems to have been at every available opportunity to increase the difficulties and embarrassment of Government, whenever and wherever they could".[10] He also said that the speeches and writings of some of those gentlemen since the Delhi Conference had been such that "I canot honestly feel sure of the sincerity of their desire for that unity of effort, that strenuous service, which are absolutely necessary to secure the success of our labours".[11]

During the discussion at the Conference Mr Tilak said it was regrettable that the rules of procedure did not allow him to move an amendment to the official resolution. He expressed the view that co-operation with the Government necessitated certain things and there could be no Home Defence without Home Rule. The Governor pulled up Mr Tilak and ruled that political discussion could not be allowed, whereupon Mr Tilak left the meeting. Mr Jinnah in the course of his speech pointed out that the determination of the Bombay Presidency to do its duty in the great crisis had the support of the entire educated community but he regretted that Lord Willingdon should have thought fit to cast doubts on the sincerity and loyalty of the Home Rule Party. He pleaded for a national army and not a purely mercenary army. He declared: "I say that if you wish to enable us to help you, to facilitate and stimulate recruiting, you must make the educated people believe that they are the citizens of the Empire and the King's equal subjects. But the Government do not do so. We don't want the consideration of the matter indefinitely put off. We want action

10. Ibid., pp. 129-30. 11. Ibid., p. 130.

and immediate deeds".[12] Mr Jinnah further said that he did not approve of the memorandum annexed to the official resolution, for he was given no opportunity to exercise his judgment, and he refused to be a party to the adoption of the memorandum. Lord Willingdon, however, did not budge from his stand and the Conference ended on an unhappy note.

There was great public resentment against Lord Willingdon's conduct at the War Conference. At a public meeting held to celebrate the Home Rule Day on 16 June 1918 Mr Jinnah moved a resolution protesting against racial bars and non-admission of Indians to commissioned ranks in the Army and to existing Military Colleges and non-establishment of new Military Colleges, and declaring that it was difficult for the leaders "to secure full and free response from the people in regard to military services unless the present policy of the Government of India is changed".[13] In his speech Mr Jinnah said that Lord Willingdon had insulted the Home Rule League and if the people were unable to co-operate with the Government it was because the Government's policy did not enable them to obtain manpower for the defence of the country. Replying to Lord Willingdon's charges against the Home Rule League, he said: "Your policy is more half-hearted. You are playing with the people, and you are not in earnest. Your methods and policy are all wrong. I cannot believe that even a bureaucrat is so blind as not to see it."[14]

Lord Willingdon's term of office was drawing to an end. Officialdom and the ultra-loyalist section of the public of Bombay were anxious to accord him a public farewell. Some citizens formed a committee and sent an application to the Sheriff of Bombay to obtain permission to hold a public function in honour of the retiring Governor. Mr Jinnah again rose to the occasion and took it upon himself to register the popular disapproval of such a move. He addressed a letter to the committee that he and his friends would oppose any motion for giving public farewell to the Governor that might be brought

12. Ibid., p. 133. 13. Ibid., p. 135.
14. Ibid., p. 137.

before the meeting of citizens called for the purpose, because there was strong opposition to the proposal in view of the record of Lord Willingdon's administration. The meeting of the citizens was scheduled for 11 December 1918 at the Town Hall of Bombay. The anti-requisitionists led by Mr Jinnah and Mr B.G. Horniman reached the Hall well before the time of the meeting. When the doors of the Hall were opened they went in and occupied the front seats. The requisitionists consisted mostly of Europeans, Parsis and Anglo-Indians. While Mr Horniman stood up and addressed the Sheriff to make a constitutional protest, there were shouts from the Requisionists and confusion prevailed. The name of a Parsi, Jamsetji Jijibhoy, was proposed for the presidentship but before the motion could be put to vote, he hurriedly occupied the chair. There were loud protests and pandemonium prevailed. In the midst of turmoil Jijibhoy put the resolution of appreciation of Willingdon's services from the chair and declared it carried, though the overwhelming majority of the audience was against it. At this stage the police entered and forcibly cleared the hall of the people.

The public gathered outside the hall accorded a great ovation to the popular leaders as they appeared on the steps of the hall. Mr Horniman was carried by the people on their shoulders amidst scenes of wild enthusiasm. There was a great demonstration in Apollo Street where the crowd was addressed by Mr Horniman and Mr Jinnah. The former said: "Gentlemen, you are the citizens of Bombay and not the hirelings of foreigners packed into the Town Hall. Today we have won a great victory. It is, in fact, a victory for democracy."[15] Speaking next, Mr Jinnah said, "Your triumph today has made it clear that even the combined forces of bureaucracy and autocracy could not overcome you. December 11 is a Red Letter Day in the history of Bombay."[16]

The people of Bombay, at the suggestion of an attorney, Mr B.D. Lam, enthusiastically subscribed to a fund for raising a memorial to mark their appreciation of the services of their

15. M.H. Saiyid, op. cit., p. 137. 16. Ibid., p. 150.

hero, Mohammed Ali Jinnah. With the money freely contributed by the public the People's Jinnah Memorial Hall was built which still stands as a momument to the great leadership of Mr Jinnah.

The British Government carried on with the policy of practising repression to curb popular urges for freedom and trying at the same time to introduce constitutional reforms. The policy was a contradiction in terms and, as later events showed, the reforms which might otherwise have had a better reception proved unpopular and failed in their purpose. The reform proposals formulated by the Secretary of State, Mr Montagu, and the Viceroy, Lord Chelmsford, were published on 8 July 1918. They had a mixed reception in the country. The Moderate leaders were willing to accept the proposals, though they asked for considerable alterations. The Home Rule leaders were opposed to them unless drastic modifications were made. The Extremists were entirely opposed to them.

The Montford Report enunciated some principles for the future constitutional reforms, viz. complete popular control and the largest possible independence for local bodies; steps towards responsible government to be taken in the first instance in the provinces which should be given some measure of responsibility and the largest measure of independence from the Government of India; the Central Legislature to be enlarged, and made more representative and given more opportunities for influencing Government but the Government of India to remain responsible to Parliament; control of Parliament and the Secretary of State over the Government of India and the Provincial Governments to be relaxed in proportion to the proposed changes. The authors of the Report enunciated the difficulties and limiting factors in the way of introduction of immediate and full responsible government, for instance lack of education and political consciousness and the division of the population into religious, social and cultural groups. With a view to gradual realisation of responsible government the authors recommended introduction of partial responsible government in the Provinces. According to their plan certain subjects were to be "transferred" to the control of Ministers responsible to the Provincial

Legislature though the Governor was to have power to veto any advice tendered by a Minister; other subjects were to be administered by members of his Executive Council responsible directly to him. The Montford Scheme gave further power to the Governor to enact a bill despite the disagreement of the Legislative Council if he considered it essential for the performance of his duties, but such enactment would require previous approval of His Majesty's Government except in a state of emergency when it would be subject to subsequent disapproval.

So far as the Central Government was concerned it was not considered desirable to introduce even such a limited measure of responsibility. All that the authors of the Report recommended was an expanded central legislature with a larger elected element but without any control over the central executive which would continue to be what they called "responsive autocracy". A bicameral legislature—Legislative Assembly and Council of State---was envisaged. The majority of members was to be elected, though the *bloc* of official members was to continue. The structure of the Central Government thus was to remain unaltered in essential respects.

On the question of electorate the authors of the Report expressed an unfavourable opinion of the system of separate electorates which merely showed inadequate appreciation on their part of the real conditions and problems of a heterogeneous country which was a conglomeration of nationalities and not a nation. They regarded the system as "a very serious hindrance to the development of the self-governing principle" and expressed their faith in the ultimate "goal of Indian nationhood". The answer to their assumption is given by a knowledgeable British historian who, as Professor of History at an Indian University, acquired wide experience of conditions in the subcontinent. In his book *India, a Modern History*, Mr Percival Spear observes: "There was no realisation of the fact that India contained separate cultures as well as regions and communities and that these cultures must find constitutional recognition, if the State were to be healthy. It was not realised that the Muslims and Sikhs held sectors of their communal life sacred-sectors in which they would not accept dictation from

an outside authority. The attempt was made to fit the mantle of a unitary state upon the body of a plural society, and the result was stresses and strains." In spite of their opinion of separate electorate, the authors of the Report conceded that its continuance was inevitable, for they admitted that the Muslims regarded it as "the only safeguard" and any attempt to alter it would not be acceptable to them.

With regard to the future the Montford Report envisaged some kind of a federal union as the ultimate goal of political evolution. They observed: "Our conception of the eventual future of India is a sisterhood of States self-governing in all matters, both internal and external, of common interest to the whole of India."[17] The authors of the Report hoped that India's link with the British Empire after the attainment of full responsible government would continue.

The Montford proposals, even though so restricted in scope, were not welcome to the British bureaucracy in India who were opposed even to the small measure of responsibility proposed to be conferred on the provinces. The Moderate leaders considered the proposals to be workable, but they demanded further concessions. In particular, they asked for the same kind of dyarchy at the Centre as was going to be introduced in the provinces. They warned the British Government against any attempt to "whittle down" the proposals. The Congress and the Muslim League held special sessions in August 1918 to consider the Report. The Congress characterised the reform proposals as inadequate, unsatisfactory and disappointing and demanded their liberalisation to make them workable. The Muslim League, while admitting that the proposals were an advance on the existing constitution, found them unsatisfactory and demanded that they be further liberalised.

Exprsssing his views in a balanced and rational manner, Mr Jinnah disagreed with the Montford Report's interpretation that His Majesty's Government's announcement implied that

17. *History of the Freedom Movement*, published by Pakistan Historical Society, Vol. III, Part I, p. 183.

progressive realisation of responsible government was confined only to the provinces. He stood for simultaneous progress in the local, provincial and central spheres. The other points he stressed were: the certification of the Governor General-in-Council should not apply except to measures and bills which affected peace, tranquillity and safety of the country; all other departments to be left to the legislature; a Government bill in the event of being rejected or materially amended in a matter regarded by Government as vital, should be referred to the Council of State envisaged in the Scheme which might pass it in any form it liked; the bill thus amended to be sent back to the Legislative Assembly and, if rejected again, it could be referred to a joint session of the two Houses whose decision would be final. Mr. Jinnah explained that the idea behind the suggestion was that disputes should be settled after full discussion had taken place by a body with only a small majority of elected members. He pointed out that it should not be too difficult for the Government of India to enlist the support of a dozen elected members on matters other than measures affecting the tranquillity and safety of the country. With regard to the financial proposals concerning the sources of income and items of expenditure, Mr Jinnah opined that they should be embodied in the form of bills which should be submitted to the legislature for voting. He appealed to his countrymen to bend all their energy in the direction of focussing the public opinion on the object of securing these vital changes in the reform proposals.

The Montford Report was discussed in the Imperial Legislative Council in September 1918. A prominent Moderate leader, Sir Surendra Nath Bannerji, moved the following resolution: "This Council, while thanking His Excellency the Viceroy and the Secretary of State for India for the Reform proposals and recognising them as a genuine effort and a definite advance towards the progressive realisation of responsible Government in India, recommends to the Governor-General in Council that a Committee consisting of all the non-official members of this Council be appointed to consider the Reforms Report and make

recommendations to the Government of India."[18] The Extremists objected to the resolution being considered as a whole, for they could not support the first part. The Viceroy who was presiding agreed to split the resolution into two parts which were put to vote separately and carried.

The Congress and the Muslim League held their annual sessions at Delhi in December 1918. By now the Extremists had got control of the Congress and the compromise resolution passed earlier at the special session at Bombay was set aside. A resolution was adopted, rejected the Reform proposal, demanding full responsible government in the provinces and application to India of the principle of self-determination as enunciated by President Wilson of U.S.A. The attention of the Muslims at this moment was focussed on Turkey which was threatened with dismemberment. The President of the League Session, Mr Fazlul Haq, warned the British Government against straining the loyalty of the people. He urged the grant of self-rule to India, for the British Government had not developed the resources of India. Dr M. A. Ansari, Chairman of the Reception Committee, warned that the Muslims would not tolerate either the Government or the Hindus making any changes in the right of separate representation of the Muslims. The League session passed resolutions supporting the principle of self-determination for India, urging the maintenance of the control of the Sultan of Turkey as the Khalifa over the Holy Places of Islam and strongly criticising the absence of any Muslim in the Indian delegation to the Peace Conference.

While the British Government was making preparations to submit the Reform proposals in the form of a bill to Parliament, the Government of India was engaged in forging new weapons to suppress liberties and stifle the voice of the people. In 1917 the Government of India had appointed a committee under the presidentship of Sir Sidney Rowlatt "to investigate and report on the nature and extent of the criminal conspiracies and to advise as to the legislation, if any,

18. M. Rafique Afzal, Ed., *Selected Speeches and Statements of the Quaid-i-Azam, Mohammad Ali Jinnah (1911-34 and 1947-48)*, p. 70.

necessary to enable the Government to deal effectively with them".[19] When the report of this Committee came up for consideration before the Imperial Legislative Council early in 1919, it evoked strong protest throughout the country. The popular feelings were voiced in the Council by Mr M. A. Jinnah with his usual frankness and courage.

He pointed out that the conspiracies referred to in the Rowlatt Committee's report were political in character and the outcome of the wrong policy followed by the Government. They dated only from 1906 when anarchical activities started because of certain policies formulated and followed by Government without consulting Indian opinion. Mr Jinnah told Government: "If you want us to co-operate with you then associate us with you and give us a certain amount of control and responsibility in the policies which you are laying down for the government of this country."[20] The report of the Committee gave the impression as if certain "criminal tribes" had sprung in the country and were a source of danger. Mr Jinnah asserted that the problem could not be solved by laying down laws on the Statute Book and called for a change in Government's policy before the cause of unrest could be removed. He condemned the preventive measures recommended by the Committee and remarked, "No civilised government will ever dream of putting these recommendations in the form of laws."[21]

Two bills based on the Rowlatt Committee's recommendations were introduced in the Imperial Council. Opposing them, Mr Jinnah said that they were against the fundamental principle of law and justice that no man should lose his liberty without a judicial trial in accordance with the accepted rules of evidence and procedure. He also held that it was "a wrong remedy for the disease" and political crimes should be dealt with as such. The other points he made were as follows: the powers to be assumed by the executive meant substitution of the executive for the judicial, there was no instance of such laws being

19. M.H. Saiyid, op. cit., p. 152. 20. Ibid., p. 155.
21. Ibid.

enacted in any other civilised country, the bill was inopportune coming as it did on the eve of the Reforms, the proposed measures purported to be of a permanent character though they were originally meant to deal with an emergency during the war. He warned that these measures, if enacted, would have "a most disastrous effect" on the relations between the Government and the people.

There was countrywide agitation against the bill and people took a pledge at public meetings to "refuse civilly to obey these laws". In spite of popular disapproval and resentment the Bills were passed with the help of the official majority in the Council. Mr Jinnah felt so deeply hurt that he registered his protest by taking the extreme step of resigning from the membership of the Council. In his letter of resignation addressed to the Viceroy, Mr Jinnah characterised the bill as "a measure admittedly obnoxious and decidedly coercive at a time of peace, thereby substituting the executive for the judicial,"[22] for he felt that it "ruthlessly trampled upon the principles for which Great Britain avowedly fought the war"[23] and "the fundamental principles of justice have been uprooted and the constitutional rights of the people have been violated at a time when there is no real danger to the State".[24] He declared that co-operation was not possible with a Government "that shows such utter disregard for the opinion of the representatives of the people in the Council Chamber, and for the feelings and sentiments of the people outside".[25] He finally asserted that "a Government that passes or sanctions such a law in times of peace forfeits its claim to be called a civilised Government".[26]

There were protest meetings and *hartals* (strikes) at various places resulting in clashes between the police and the public. There were excesses on both sides, the police resorting to lathi charge and even firing and the public setting fire to public buildings. The most serious trouble occurred at Amritsar on 11 April 1919. Two popular leaders of the city, Dr Satyapal and

22. Rafique Afzal, Ed., op. cit., pp. 112-3.
23. Ibid., 113.
24. Ibid.
25. Ibid.
26. Ibid.

Dr Saifuddin Kitchlew, were arrested and spirited away to an unknown place. A crowd of people came out to inquire where their leaders had been removed. Stopped by the soldiers they sat down on the ground. The soldiers suddenly gripped by panic fired upon the unarmed people many of whom were killed. Enraged by this wanton assault the people rushed into the town and attacked Government buildings and banks. Some Englishmen were killed and an Englishman was beaten but rescued by some Indians. Towards evening, however, quiet was restored.

In the meantime troops had been sent for and they arrived with their Commander, General Dyer, on 12 April. He went through the streets and forbade meetings. A public meeting, however, had been arranged for 13 April in a large walled-in space, called Jallianwalla Bagh, which had only a few narrow outlets. After the people had peacefully gathered there, General Dyer with his men and machine guns marched towards the place and, without giving an opportunity to the public to disperse, he ordered firing upon the crowd which found itself trapped inside the walled-in ground, the outlets being too narrow to allow them to escape in any appreciable numbers. It was an action of unprecedented savagery. Helpless men, women and children fell under a rain of bullets. Firing stopped only when ammunition was exhausted and General Dyer with his men left the place strewn with large numbers of dead and wounded persons. No attempt was made to remove the wounded to the hospital, because the General said that that was not his job. He only wanted to teach the people a lesson and that he had done with a ruthlessness of which it would be difficult to find a parallel in the annals of civilised governments.

The horrifying event was followed by a reign of terror unleashed by the Lieutenant-Governor, Sir Michael O'Dwyer and promulgation of Martial Law in the Province. The people including educated and respectable persons were subjected to unspeakable indignities and cruelties. Except for those who had passes no one was allowed to travel by railway trains. Women were insulted. In a lane in Amritsar people were required to crawl on their bellies and if anyone stopped to take breath the soldiers prodded him with the butts of their rifles. Posters were

pasted by Martial Law officials on the houses of respectable citizens who were told that if anyone removed them they would be arrested. Even leaders of the status of Mian Fazli Husain, Khalifa Shujauddin and Pir Tajuddin had to stand outside their houses to keep a watch on the posters. People were ordered to get down from vehicles and salute any Englishman on seeing him. In a room 25′ × 12′, twenty-five persons were imprisoned for a whole week. No lawyers were permitted to appear on behalf of persons tried by military courts. The punishment usually awarded to the accused was death or transportation for life.

Public indignation at these gruesome happenings was so strong and widespread that the Government of India had to appoint a committee of inquiry headed by Lord Hunter. There were three Indian members of the Committee – Pandit Jagat Narain (U.P.), Sir Chimanlal Setalvad (Bombay), and Sahebzada Sultan Ahmad Khan (Gwalior). The Committee found it impossible to condone the conduct of General Dyer but used a mild phrase "error of judgment" In disapproving his handling of the situation. He was relieved of his command and sent to England. The non-official Englishmen and women in India, however, raised a fund which was presented to him to show their appreciation of his services. Sir Michael O'Dwyer, whose policy of terror and repression had placed the Government of India in an embarrassing position, retired soon after on the completion of his term of office. He left behind a trail of bitterness which boded ill for the constitutional reforms the British Government were going to introduce.

CHAPTER TWO

KHILAFAT AND NON-CO-OPERATION MOVEMENTS

The Government of India Bill based mainly on the recommendations of the Montford Report was introduced in the British Parliament in June 1919 and received the Royal Assent on 23 December 1919. But the Rowlatt Act and the happenings in the Punjab had created a situation which was not congenial for the introduction of the reforms.

Another development which deeply agitated Muslim India was the Allied Powers' attitude towards Turkey following her defeat in the War. The British Prime Minister, Mr Lloyd George, had, in a speech on 15 January 1918, outlined the Allies' war aims. Denying that they had any ambition for territorial expansion, he declared that they were not fighting to deprive Turkey of her capital or the renowned and fertile lands of Asia Minor and Thrace, but he also stated that Armenia, Iraq, Arabia, Syria, Palestine deserved separate terms of settlement.

However, the Treaty of Sevres which Turkey was made to sign under duress went even beyond the declaration of the British Prime Minister, for its provisions amounted to complete disintegration of Turkey, its reduction to the position of a vassal state and the passing of other Muslim lands, including even Holy Places, under European tutelage.

The Caliph became a puppet in Allied hands. Thrace was given to Greece, the Fertile Crescent, i.e. Iraq, Syria and Palestine, was taken over by Britain and France as Mandatories, the Ottoman capital, Constantinople, was placed under a High Commission, and the Greek forces were instigated to

occupy Smyrna. The Muslims of India were greatly perturbed. They presented a strongly-worded Memorandum to the British Prime Minister on 14 June 1919, conveying their feelings about the preservation of the temporal power of the Caliph and the integrity of Turkey, and reminding him of his promises. Their representation was supported by Sir Theodore Morison, a member of the Secretary of State for India's Council, and ex-Principal of the M.A.O. College, Aligarh.

The Muslim leaders like H.H. the Aga Khan, the Rt. Hon. Syed Ameer Ali, Lord Headley, Sir Abbas Ali Beg and Saheb-zada Aftab Ahmad Khan also made representations. But the British Government paid no heed to these pleas and submissions. As if to spite the Muslim world, Mr Lloyd George, in decorating General Allenby, characterised his entry into Palestine as a Crusade. The Government of India arranged at its own expense to send a deputation to England to apprise the British authorities of Muslim feelings on the question of Khilafat and Turkey. It consisted of Dr Ansari, Mr Hasan Imam, H.H. the Aga Khan and Seth Chhotani. The deputation, however, failed in its efforts and returned unsuccessful to India after about two and a half months.

The Muslims of India were left with no alternative but to organise a movement to press their demands. Most of their leaders were still in jail. Some zealous Muslims of Bombay formed a Majlis-i-Khilafat. Maulaua Abdul Bari of Firangimahal, Lucknow, took steps to convene an All-India Muslim Conference to set up an All-India Khilafat Committee with its headquarters at Bombay and branches in all provinces. Among the Muslim leaders who co-operated with Maulana Abdul Bari were Hakim Ajmal Khan and Dr M.A. Ansari (Delhi), Seth Chhotani (Bombay), Mumtaz Husain and Zafarul Mulk (Lucknow).

The first open Session of the Khilafat Conference was held in Delhi on 24 November 1919. It passed resolutions appealing to the Muslims to abstain from participation in the victory celebrations and deciding to boycott British goods and non-co-operate with the Government in case no heed was paid to their

demands concerning Khilafat. It was the Muslim leaders who first conceived the idea of non-co-operation which, as admitted by Frank Moraes in his biography of Jawaharlal Nehru, was later taken up and canvassed in the Congress by Mr Gandhi. As a shrewd observer, he realised that if he could enlist the support of the Muslims a tremendous pressure could be mounted up to force Britain's hands to concede self-government or Swaraj, as he preferred to call it. Taking advantage of the Muslims' deep resentment against the British, he, in the words of the British historian, Reginald Coupland, "associated the Congress with the Muslim Khilafat Movement seizing, as he put it, such an opportunity of uniting Hindus and Muslims as 'will not occur for another hundred years'."[1]

In the last week of December 1919 the Congress and the Muslim League according to past practice held their annual sessions at Amritsar which, a few months earlier, had been the scene of tragic happenings. The newly organised Khilafat Conference also held its session there. Common sufferings had brought the Hindus and Muslims together. Hakim Ajmal Khan, the Muslim League President, and Pandit Motilal Nehru, the Congress President, were taken out in a grand joint procession. On their release from jail Maulana Mohammed Ali and Maulana Shaukat Ali proceeded straight to Amritsar where they were accorded a memorable reception. As the Congress historian, Pattabhi Sitaramayya, records, the Ali Brothers came "to the city in the midst of tumultuous enthusiasm of multitudes of people. They had a grand procession and Mohammad Ali, appearing on the platform, stated that he came from Beitul Jail 'with a return ticket,' an expression which has become classical since".[2]

The All-India Muslim League passed resolutions on Muslim representation in State Services and Universities, the Urdu language, freedom of religious observances. By another resolution moved by Dr Ansari, the League appealed to the Muslims to refrain, as far as possible, from cow-sacrifice on the occasion

1. R. Coupland, *India—A Restatement*, p. 122.
2. Sitaramayya, *History of the Congress*, p. 183.

of Id-ul-Azha in order to strengthen brotherly relations between Hindus and Muslims. On the question of constitutional reforms the League, while recognising the efforts of Mr E.S. Montagu, regretted the absence of provision for full self-government in the provinces and at the Centre in spite of India's fitness for it, considered the reforms inadequate and unsatisfactory, hoped that Parliament would introduce full responsible government as early as possible, and, in the meantime, advised the people to give proof of their fitness for full self-government by making use of the opportunities available under the Reforms which constituted a step towards complete responsible government. The League also suggested to the Congress to appoint a committee which would confer with the League Committee with a view to evolving an agreement on the question involved in the demand for full responsible government. At this session, Mr M.A. Jinnah, on the motion of Dr Ansari, was elected as permanent President of the Muslim League.

The Congress, reversing its previous decision for total rejection of the Reforms, adopted an equivocal resolution which was a compromise between the stands taken by Mr C.R. Das and Mr Gandhi. It declared India's fitness for full responsible government, regarded the Reform Act as "inadequate, unsatisfactory and disappointing," urged Parliament to take early steps for establishment of full responsible government and at the same time trusted that "so far as may be possible they will work the Reforms so as to secure an early establishment of full responsible government".[3] The Congress also offered "its thanks to Mr. E.S. Montagu for his labour in connexion with Reforms".[4]

The Khilafat Conference, which was presided over by Maulana Shaukat Ali, resolved to send a deputation to Europe to represent the views and sentiments of the Muslims of India on the Khilafat question. It also decided that, before the Khilafat deputation left for Europe, an effort should be made

3. R. C. Majumdar, *History of the Freedom Movement in India*, Vol. III, p. 52.

4. Ibid.

to explain to the Viceroy the Muslim demands regarding Khilafat and Turkey. The Ali Brothers issued a manifesto, thanking the people for their support to the cause of Khilafat and announcing that the Viceroy had been approached to receive a deputation.

On 19 January 1920, a representative deputation of Muslim and Hindu leaders, headed by Dr Ansari, met the Viceroy, Lord Chelmsford, and impressed on him "the necessity for the preservation of the Turkish Empire and of the sovereignty of the Sultan as Caliph"[5] and the fact that "the Khilafat as a temporal no less than spiritual institution was the very essence of their faith".[6] The Viceroy expressed his sympathy with Muslim feelings but "emphasised the fact that the question did not lie in the hands of Britain alone". He, however, promised to afford facilities to the proposed Khilafat deputation. The Khilafat deputation consisting of Maulana Mohammed Ali (leader), Syed Suleiman Nadvi, Syed Husain, and Hasan Mohammed Hayat (Secretary) left for Europe. In England it was joined by two other leaders, Maulvi Abul Qasim of Bengal and Sheikh Mushir Husain Kidwai of Barabanki (U.P.).

In the meantime the Khilafat Committee conducted a vigorous campaign in India and raised a large fund. At its meeting at Delhi on 28 May 1920 the Khilafat Committee passed a resolution in favour of launching a non-co-operation movement. The Jamiat-ul-Ulema-i-Hind held an extraordinary session at Calcutta on 6 December 1920 at which it adopted a resolution, moved by Maulana Abul Kalam Azad and seconded by Maulvi Mazharuddin, to the effect that "Since the European powers have practised glaring injustice in concluding peace with Turkey and wounded Muslim sentiments and British Ministers have openly broken their declared pledges and betrayed religious bias against Islam by undermining the power of Khilafat and the religious authority of the Caliph, it has

5. Pakistan Historical Society, *A History of the Freedom Movement*, Vol. III, Part I, p. 218.

6. Ibid.

become incumbent on Muslims as followers of Islam to non-co-operate with these enemies of Islam".[7]

After this an edict of non-co-operation signed by about 500 Ulema and others was published. It called for boycott of membership of Councils, legal practice, Government service, Government educational institutions, Government grants, British goods, law courts and also military service. Thus the Muslims took the lead in launching the non-co-operation movement; the Congress only followed later on. They contributed liberally to the Khilafat Fund. Purdah women parted even with their jewellery. About one crore rupees were collected which in those days was really big money. It was on the strength of this fund that Mr Gandhi and other Hindu leaders toured the country to canvass support for Khilafat and Swaraj.

Some Ulema led by Maulana Abul Kalam Azad hit upon an idea—"hijrat" or migration from India—which caused great hardship to the Muslims. They declared India to be a *Dar-ul-Harb*, a war theatre, and advised the Muslims to migrate to a Muslim land. Thousands of innocent Muslims gave up their jobs and callings, sold their belongings for a song and proceeded on a hazardous journey to Afghanistan. Many of them died on the way, others were turned away by the Afghan authorities and returned exhausted, impoverished and frustrated. But it is noteworthy that the Ulema who had given the call for "hijrat" did not themselves migrate.

The Congress could not for long evade a decision on non-co-operation. It held a special session presided over by Lala Lajpat Rai at Calcutta in September 1920. Mr Gandhi supported by the Muslim leaders moved the resolution for non-co-operation which was passed, in spite of opposition from prominent Hindu leaders like Pandit Motilal Nehru, Pandit Madan Mohan Malaviya, and Mr C.R. Das. This decision was to be finally ratified at the annual session of the Congress which was going to be held in December 1920 at Nagpur.

7. Mohammed Amin Zubari, *Siyasat-i-Millia*, p. 155.

The Muslim League which too met in special session at Calcutta about the same time passed a resolution on similar lines. Mr M.A. Jinnah who presided observed: "There is no other course open to the people, except to inaugurate the policy of non-co-operation, though not necessarily the programme of Mr. Gandhi".[8]

Commenting on the situation arising out of the British dolicy in India and towards Turkey, he said: "First came the Rowlatt Bill—accompanied by the Punjab atrocities—and then came the spoliation of the Ottoman Empire and the Khilafat. The one attacks our liberty, the other our faith. . . . As we stand in matters international, India's voice is represented through His Majesty's Government; although nominally we happened to have two Indians who were supposed to represent us, but they were neither the chosen nor the accredited representatives of India. The result was that, notwithstanding the unanimous opinion of the Muslims, and in breach of the Prime Minister's solemn pledges, unchivalrous and outrageous terms have been imposed upon Turkey, and the Ottoman Empire has served for plunder and broken up by the Allies under the guise of Mandates. This, thank God, has at last convinced us, one and all, that we can no longer abide our trust either in the Government of India or in the Government of His Majesty the King of England to represent India in matters international".[9]

The Khilafat Delegation led by Maulana Mohammed Ali left for Europe soon after the meeting of the leaders' deputation with the Viceroy on 19 January 1920. On arrival at Venice the Delegation heard the disturbing news that Turkey's fate was going to be decided in the near future. They sent telegrams to the Governments of the Allied Powers and the British Prime Minister, Mr. Lloyd George.

In England Abdur Rahman Siddiqui, Mohammed Shuaib Qureshi who were studying at Oxford and Abdul Qaiyum Malik (Editor of *Muslim Outlook*) assisted the Delegation in its work. The Delegation met leading personalities of different

8. Pakistan Historical Society, op. cit., p. 225.

9. M.H. Saiyid, *Mohammed Ali Jinnah, A Political Study*, p. 181.

political parties in Britain and had an interview with the Premier Mr Lloyd George. Mohammed Ali used all his forensic abilities and oratorial powers to explain the views and feelings of the Muslims and other Indians on the question of Khilafat and the future of Turkey. His cogent reasoning and persuasive eloquence, however, did not move the British Premier who seemed to have made up his mind against Turkey.

According to Professor Rushbrook-Williams, "The insistence of the Prime Minister upon the fact that Turkey could not be treated on Principles different from those applied to Christian countries and his firm assertion of the doctrine that while Turkey was to be allowed to exercise temporal sway over Turkish lands, she was not to be permitted to retain those lands which were not Turkish, were generally regarded as striking at the very root of the whole Khilafat Movement."[10]

Undismayed by the unsatisfactory response of the British Premier, Mohammed Ali decided to place the case for Turkey directly before the British and French public by addressing public meetings. He received help and encouragement from the Labour Party leader, Mr George Lansbury, under whose presidentship he addressed a meeting in Kingsway Hall, London, on 22 April 1920. Moving a resolution "urging upon the Government the necessity for taking into serious consideration, in the Turkish settlement, the religious obligations of the Muslims and the national sentiments of United India".[11] Mohammed Ali set out the claims made by the Muslims:

First, it is one of the fundamental doctrines of Islam that there should always be a Khalifa who should have temporal power adequate for the defence of the Faith;

second, Khilafat should exist as an independent sovereignty and its Empire should not be dismembered any further than the spoliation that had taken place after the Balkan War of 1912;

third, in the Holy Lands there should be no British Protectorate or French or American Mandate.

10. Pakistan Historical Society, op. cit., p. 220.

11. Afzal Iqbal, *Select Writings and Speeches of Maulana Mohamed Ali*, p. 183.

As for the Allies' concern for the non-Turkish Muslim lands, Mohammed Ali declared that if the Arabs genuinely desired self-government they could have it within a federation, and in any case it was a question which had best be left to the Muslims themselves to settle.

In a speech at Paris on 21 March 1920, Mohammed Ali explained the nature of the Khilafat Delegation's mission. They had not gone to present the Turkish case but the case of the Muslims of India; it was not that they had gone to save any "territories" or any "financial resources". He said: "We have come here merely to ask you to spare us the one thing which to us is more than all territories, the one thing which is more than all financial resources, and that is the liberty of our conscience. . . . This question which has brought us . . . is not merely a Turkish question. It is an Islamic question, an Indian question, an Algerian question and a Tunisian question. It is the question of the preservation of the Khilafat. . . . A vast majority of the Muslims of the world recognise the Sultan of Turkey to be the Commander of the Faithful and the Successor and Khalifa of their Prophet. It is an essential part of the doctrine that the Khalifa, the Commander of the Faithful, should have adequate territories, adequate military and naval resources, adequate financial resources. But for what purpose? Not for aggression, nor even for the defence of Turkey, but for the defence of our Faith. He is to stand before the world as the leader of the Muslims in this cause, and whenever the liberty of conscience of the Muslims in any part of the world is placed in jeopardy, he should at least be able to say to the aggressor. You shall not do that with impunity'."[12]

In the course of his campaign Mohammed Ali experienced an agreeable surprise in finding the eagerness of the delegates to the annual Conference of the British Labour Party at Scarborough to hear him explain his religion and its requirements. Though allowed only five minutes, he spoke for twenty minutes in response to the clamour and repeated applause of the delegates. Refuting the argument that religion must not interfere with

12. Ibid., p. 158.

politics, he claimed that true religion guided man in every concern of life. He denounced the Peace Treaty as it disregarded their religious obligation in seeking to dismember the Turkish Empire and the Khilafat and demanding acceptance of non-Muslim mandates in the Holy Land of Islam. Mohammed Ali reminded Mr Lloyd George that it was the Indian soldiers who beat the Turks and if Indian Muslims were good enough for partnership in making war they should be equally good enough for partnership in making peace.

All the earnest pleadings and forceful arguments of the Khilafat Delegation failed to produce any effect on Britain and her allies and it returned unsuccessful to India on 4 October 1920. Mohammed Ali came back with the conviction that nothing short of drastic action on the part of the Muslims of India in co-operation with their countrymen would meet the situation. The special sessions of the Congress, the Khilafat Committee and the Muslim League had already decided in principle, at Calcutta, in September 1920 to adopt a policy of non-co-operation. With their characteristic enthusiasm Mohammed Ali and his "big brother", Shaukat Ali, plunged into an intensive campaign to rouse the people's consciousness and prepare them for a show-down with the British authorities who had shown scant regard for their religious susceptibilities and national sentiments. The country was echoing from one end to the other with the cry for rectification of wrongs done to the Khalifat, the Muslim States and the people of India, especially those of the Punjab. The Ali Brothers turned to their own Alma Mater, Aligarh, to enlist its support for the non-co-operation movement. Mr Gandhi too honoured Aligarh with a visit and instigated the students to discontinue studies and come out of the College. The Khilafat and Congress leaders called upon the Governing Body of the College to sever connection with the Government and refuse Government grant-in-aid.

Aligarh proved to be a test case. It provided a clue to the different motives, which inspired the Hindu and Muslim leaders. While the Ali Brothers and their followers in their deep abhorrence of the unjust British policies and their great love of freedom

were prepared to go to any length to ensure the success of the non-co-operation movement, Mr Gandhi and other Hindu leaders were careful not to touch the Hindu University at Benares. In fact, the Vice-Chancellor of the Hindu University, Pandit Malaviya, accorded a reception to the Prince of Wales and conferred on him an honorary doctorate. The Aligarh students, on the other hand, possessing as they did a high degree of political consciousness, went on strike and the College authorities closed the institution for one month. The emotional step taken by the leaders of the non-co-operation movement proved harmful to the Aligarh College and the general educational advancement of the Muslims, for the attack on Aligarh was an attack on a very vital part of the Muslim body politic in India. There could be no question as to the motives of the Ali Brothers who were distinguished Aligarh Old Boys and served the cause of their Alma Mater in earlier years. But, as subsequent developments showed, they themselves were disenchanted of the blandishments of Mr Gandhi and other Hindu leaders and left the Congress in disgust to work for the rights and interests of the Muslims.

The programme of non-co-operation was finally adopted by the Congress at its annual session at Nagpur in December 1920. Many prominent Hindu leaders like Pandit Malaviya, Lajpat Rai and C.R. Das were still hesitant. In fact, C.R. Das had, according to the Congress historian Sitaramayya, brought a contingent of 250 delegates from Bengal and Assam at his own expense to oppose the non-co-operation resolution. He was, however, won over by the persuasion of Mohammed Ali. The non-co-operation programme consisted of seven points—surrender of titles and honorary offices, refusal to attend durbars and Government functions, withdrawal of students from schools and colleges and establishment of national institutions, boycott of British courts by lawyers and litigants and establishment of private arbitration courts, boycott of recruitment for service in Mesopotamia, boycott of elections to Councils, boycott of foreign goods. The resolution was adopted with great enthusiasm.

In the course of discussion the large gathering was astonished to see one man voicing his dissent from the resolution in principle. It was Mohammed Ali Jinnah who showed rare courage of conviction in expressing an opinion different from the prevailing popular view and feeling.

Speaking with his usual calm, confidence and logical reasoning, Mr Jinnah said a sort of false religious frenzy had got hold of Indian political activity which would ultimately lead the country to confusion and would do more harm than good. He was not against agitation, he was not against revolt. He stood for protest and demonstration of public disapproval, with all its force, of the policy followed by Britain both in the domain of international and Indian problems, but he did not agree with the methods adopted in this regard. He reaffirmed his honest conviction that Mr Gandhi was leading India in the wrong direction, otherwise he would have been the first person to join the movement. He wished that in its place there had been a real political movement based on the fire that burnt in the heart of every Indian for his motherland.

Mr Jinnah averred that the programme was based on the doctrine of soul force, having for its execution destructive methods which did not take account of human nature and which might slip out of control at any time (as it eventually did). He declared that non-violent non-co-operation would be a miracle if accomplished. He could not contemplate how the movement could last if all the boys were withdrawn from schools and colleges without substituting the existing educational institutions by national ones. He hoped that the Government of India would pay less attention to Mr Gandhi's programme and more to the intelligent opinion of the country and effect a real change in their policy which would satisfy the feelings of the Indian people. In short, even if he had to stand out alone he would still say that the non-co-operation movement was detrimental to the interests of India.

In the course of his speech Mr Jinnah constantly referred to Gandhi as Mr Gandhi. By this time religious frenzy had gripped the people and Gandhi had come to be called Mahatma

Gandhi. The audience roared with disapproval, "No, Mahatma Gandhi." Undeterred, Mr Jinnah retorted, "Mr Gandhi. I am not going to be dictated to in the choice of my language so long as it is parliamentary."[13] At length the audience yielded, and Mr Jinnah had his way.

Col. Wedgwood, who was attending the session as a fraternal delegate from the British Labour Party, was heard to remark that India was definitely on the road to freedom, as she was capable of producing at least one man who had the nerve to stand by his conviction in the face of such a huge opposition that would terrify any man.

From then on Mohammed Ali had his "home on wheels." He, his brother and his mother and wife were constantly travelling through the length and breadth of the country, carrying on intensive propaganda for the cause of Khilafat and Swaraj and raising funds for the sustenance of the families and dependants of the workers who courted arrest or devoted their entire time to the movement.

Other leaders too played their full part in the movement, prominent among them being Maulana Zafar Ali Khan, Dr Saifuddin Kitchlew, Maulana Abdul Qadir Qusuri, Malik Lal Khan, Maulana Abdul Bari Firangimahali, Mr Tasadduq Ahmad Khan Sherwani, Maulana Hasrat Mohani, Dr Syed Mahmud, Moulvi Shafi Dawoodi, Maulana Abul Kalam Azad, Maulana Akram Khan, Moulvi Tamizuddin Khan, Syed Abdur Raoof Shah, Seth Yakub Hasan, Syed Murtaza Bahadur, Seth Chhotani, Sheikh Abdul Majid Sindhi, Pir Ghulam Mujaddid, Maulana Husain Ahmad, to name only a few. Jail-going had no terror for the people. The refrain of a song which became very popular and was sung even by children was: Boli amman Mohammed Ali ki, jan beta Khilafat pe de do [Mohammed Ali's mother said: O son, give thine life for Khilafat]. Never before had the people been roused to such a pitch of awakening, enthusiasm, passion for freedom and spirit of sacrifice.

The Government were alarmed by the situation created by

13. Mr Hatim Alavi's article, *Quaid-i-Azam as Seen by His Contemporaries*, p. 58.

the forceful speeches of Ali Brothers. The new Viceroy, Lord Reading, made a very shrewd move. Using the good offices of the right-wing Hindu leader, Pandit Malaviya, he had a series of six meetings with Mr Gandhi and told him that the Ali Brothers' speeches were inconsistent with his claim of the non-violent nature of his movement. Instead of standing by his faithful colleagues, the Ali Brothers, Mr Gandhi put pressure on them to issue a statement repudiating all incitement to violence. In their statement the Ali Brothers said they "never intended to incite violence and we never imagined that passages in our speeches were capable of bearing the interpretation put upon them".[14] They, however, expressed regret "for the unnecessary heat of some of the passages in these speeches" and gave "a public assurance and promise to all who require it that so long as we are associated with the movement of non-co-operation, we shall not, directly or indirectly, advocate violence at present, or in the future, nor create an atmosphere of preparedness for violence".[15]

The Government agencies misconstrued and publicised the statement as an apology on the part of Ali Brothers which it was not. However, Mr Gandhi had played into the hands of the Viceroy and some mischief was done. The remarks of Kanji Dwarkadas, a prominent Congress leader of Bombay, in this connection are noteworthy: "His [Gandhi's] betrayal of his colleagues, the Ali Brothers, after his six meetings with the Viceroy in Simla in May had infuriated not only Gandhiji's powerful colleagues and friends like Motilal Nehru and C.R. Das but also created revulsion against Gandhiji among the general public."[16]

Mohammed Ali, however, continued his campaign with unbounded zeal and indomitable courage. He was arrested at Waltair in South India on 14 September 1921 and brought to Karachi to stand his trial on a charge of conspiring to seduce Muslim troops from their allegiance to Government. The other leaders

14. Pakistan Historical Society, op. cit., p. 299.

15. Ibid.

16. Kanji Dwarkadas, *India's Fight for Freedom*, p. 195.

tried along with him were Maulana Shaukat Ali, Maulana Husain Ahmad, Dr Saifuddin Kitchlew, Pir Ghulam Mujaddid, Maulana Nisar Ahmad.

The charge was based on a resolution passed at the Khilafat Conference held at Karachi in July 1921 under Mohammed Ali's presidentship. The resolution proclaimed that "it is in every way religiously unlawful for a Mussalman at the present moment to continue in the British Army, or to enter the army or to induce others to join the Army".[17]

The trial was held in Khaliqdina Hall of Karachi. In the course of a memorable speech notable for boldness of expression and forceful arguments Mohammed Ali argued the case for two days, basing his pleas on Quranic dictums. He refused to be browbeaten by the presiding judge and fearlessly asserted: "We do not recognise the King any longer as our King—we do not owe any loyalty to any man who denies our right to be loyal to God. I have not a word to say against the King—I have not a word against the Royal family. But where the question of God comes in as against the Government, I cannot have any respect for a Government when the Government demands from me that I must not first respect God and His laws."[18] Mohammed Ali concluded his oration with a passionate declaration: "I will not be a party to the killing even of a gnat for personal malice, but for the sake of God I will kill all. I will not spare anyone —I will slaughter my own brother, my dear aged mother, wife, children and all for the sake of God, so help me God!"[19] As he spoke these words his voice was choked, tears rolled down his cheeks and he sat down completely overcome by emotion.

The leaders were sentenced to undergo rigorous imprisonment for two years. In those days rigorous imprisonment was very much so, for there was no difference in the treatment of political prisoners and ordinary criminals and no A, B or C classes of prisoners. The resolution on account of which

17. Pakistan Historical Society, op. cit., p. 232-3.
18. Afzal Iqbal, op. cit., p. 210.
19. Ibid., p. 244.

Mohammed Ali and his colleagues were sentenced was repeated by Muslim and Hindu leaders from hundreds of platforms. The country was convulsed with excitement and indignation from one end to the other. At a moment when the British authority was unnerved, Mr Gandhi and other Hindu leaders appeared to be alarmed with the influence the Muslims were gaining through sheer boldness and sacrifice, and his leadership failed at a crucial moment.

The Prince of Wales was coming out to India and the Viceroy, Lord Reading, was anxious that he should be spared any hostile demonstrations. He was prepared to negotiate with Congress leaders and offer political concessions, provided the plan for the boycott of the Prince's visit was given up. The Viceroy communicated through Hindu leaders like Sapru, Kunzru and Malaviya to Mr Gandhi an offer to convene a Round Table Conference to discuss terms of a compromise which would include introduction of full provincial autonomy and a measure of dyarchy at the Centre. Mr Gandhi first showed willingness to accept the offer but later wired to Sir Tej Bahadur Sapru and Lord Reading that he had decided to reject it.

Mr Gandhi's erratic moves had led the country into a blind alley. At this stage Mr Jinnah along with other responsible leaders like Jayakar, Purshotamdas Thakurdas, Natarajan and Ghulam Mohammed Bhurgri convened an all-parties conference at Bombay in January 1922 with a view to bringing about a settlement between the Government and the Congress. The main resolution adopted at the conference supported the proposal for a Round Table Conference of Government and popular representatives and recommended that in order to provide a favourable atmosphere for the dispassionate consideration of the points of controversy all repressive measures should be suspended and, pending the results of the said conference, all *hartals*, picketings and civil disobedience should cease.

After the conference, Mr Jinnah and Mr Jayakar, as its Secretaries, put themselves in communication with the Viceroy.

Without waiting for his response, Mr Gandhi sent from Bardoli, on 1 February 1922, an ultimatum to the Viceroy that only if the declaration for release of political prisoners were made within a week he would advise postponement of civil disobedience of an aggressive character and released the letter to the Press. The efforts at mediation failed.

Mr Gandhi by his obduracy lost an opportunity to win substantial political concessions without plunging the country into a turmoil. Messrs Jinnah and Jayakar issued a statement regretting that Mr Gandhi should have taken the step when consultations were going on between them and the Viceroy on the question of Round Table Conference. It may be noted that fifteen years later Mr Gandhi and the Congress accepted in practice even less than Lord Reading's offer, that is provincial autonomy as adumbrated in Government of India Act of 1935.

The non-co-operation movement was taking a turn which Mr Jinnah had forecast. Mr Gandhi's followers did not confine themselves to non-violent methods. They resorted to such violence and hooliganism at Bombay and elsewhere that Mr Gandhi was forced to reproach them as follows: "You have used the mass awakening for your own lust for plunder, rapine and even indulging in your worst animal appetite. Some of my friends would, I know, accuse me of ignorance of human nature. If I believe this charge, I would plead guilty and retire from human assemblies and return only after acquiring knowledge of human nature."[20] In an article he frankly made the following confession: "With non-violence on our lips we have terrorised those who happened to differ from us. The Swaraj that I have witnessed during the last two days has stunk in my nostrils. I am more instrumental than any other in bringing into being a spirit of revolt. I find myself not fully capable of controlling and disciplining that spirit."[21]

Mr Gandhi's leadership, already shaken, was to undergo another trial in the face of which it completely failed. In a remote place, Chauri Chaura in district Gorakhpur (U.P.), a

20. Kanji Dwarkadas, op. cit., p. 187.
21. Ibid., p. 188.

gruesome tragedy occurred on 4 February 1922. An infuriated mob of Congress "volunteers" and others set fire to a police station in which twenty-one policemen were trapped and burnt to death. Mr Gandhi was shocked, confessed that he had committed "Himalayan Miscalculation" and called off the entire civil disobedience movement on 12 February 1922. The country had certainly been outraged by the Chauri Chaura incident, but it was astounded all the more by Mr Gadhi's sudden *volte face*. His own colleagues resented the step he had taken and were deeply disappointed. Their reactions may be noted. According to Subhas Chandra Bose, "Deshbandhu [C.R. Das] was beside himself with sorrow and anger at the way the Mahatma was repeatedly bungling. The Bardoli retreat came as a staggering blow."[22] Lala Lajpat Rai addressed a letter to the Congress Working Committee saying that "the Congress had to swallow the bitter pill of ignominious defeat today."[23] The reactions of Pandit Motilal Nehru and Pandit Jawaharlal Nehru who were in Lucknow Jail were equally violent. The former was beside himself with anger and the latter vented his despair in a letter to Mr Gandhi.

Kanji Dwarkadas makes the following caustic comment on Mr Gandhi's failure: "He had angered his closest friends and colleagues. They lost their confidence in him because for the second time in twelve months, he had let down his friends and colleagues behind their back and brought ridicule on the Congress, it being forced to give up political work and turn itself into a hand-spinning organization."[24] The remarks of Mr C.R. Das about Mr Gandhi's leadership too are very pertinent: "The Mahatma opens a campaign in a brilliant fashion; he works it up with unerring skill; he moves from success to success till he reaches the zenith of his campaign, but after that he loses his nerve and begins to falter."[25] It is an irony that the Congress rejected provincial autonomy in 1922 but accepted and worked it even with limitations fifteen years later in 1937.

22. Ibid., p. 195.
23. Ibid.
24. Ibid.
25. Ibid., p. 197.

Mr Gandhi had a penchant for giving a religious twist and colour to political programmes and activities jointly supported by communities drawing inspiration from different and even conflicting religious sources which was soon to result in bitter controversies and conflicts. It was he who introduced religion into politics, though later he used to find fault with Muslim leaders when they worked for the protection of the rights and interests of their co-religionists.

He proudly declared: "It will be seen that for me there are no politics but religion. They subserve religion. The politician in me has never dominated a single decision of mine, and if I take part in politics, it is only because politics encircle us today like the coil of a snake from which one cannot go out, no matter how much one tries. In order to wrestle with this snake I have been experimenting with myself and my friends in politics by introducing religion into politics."[26] When some Hindu circles expressed misgivings about his association with Muslims during the Khilafat agitation, Mr Gandhi reassured them by saying: "It has been whispered that by being so much with the Mussalman friends, I make myself unfit to know the Hindu mind. The Hindu mind is myself. Surely I do not live amidst Hindus to know the Hindu mind when 'every fibre of my being is Hindu'. My Hinduism must be a very poor thing if it cannot flourish under influences the most adverse."[27] Here the adverse influences clearly mean the Muslims.

While the Khalifat agitation and Non-co-operation Movements were in full swing certain startling developments took place in Turkey. Mustafa Kemal Pasha, breaking away from the Sultanate in Constantinople, organised the people of Anatolia into a national army of liberation and on 30 August 1922 inflicted a crushing defeat on the Greek marauders and drove them out of Smyrna. Turkey was saved by the heroism of her sons, and the humiliation inflicted by the Treaty of Sevres was avenged. The Muslims of India who had followed Turkey's

26. Jamil-ud-Din Ahmad, Ed., *Speeches and Writings of Mr. Jinnah*, pp. 458-59.

27. Ibid., p. 459.

fortunes since 1911 with the deepest concern and sympathy and done whatever they possibly could to help her in her adversities rejoiced in her victory over the Greeks and hailed Mustafa Kemal as their hero. The Turkish Sultanate had become corrupt and effete and played into the hands of the enemies to the detriment of national interests. It was abolished by the National Assembly on 1 November 1922, and Ghazi Mustafa Kemal was elected by the Assembly as the first President of the Turkish Republic on 29 October 1922. A further drastic step was taken by the National Assembly when it abolished Khilafat itself on 1 March 1924.

These developments produced mixed repercussions in India. On the one hand, the Muslims were undoubtedly pleased and gratified by the success of the Turkish nationalist forces in throwing off the yoke of foreign influence and domination; on the other, the elimination of Khilafat took away the propelling force from the Khilafat Movement. Taking a retrospective view, one is led to the conclusion that the Khilafat leaders had not been able correctly to assess the altered situation in Turkey and to appreciate the new forces that had arisen there. Great hopes had been aroused in India that the Khilafat and non-co-operation movements would be successful in achieving their objectives within a year. But Mr Gandhi's bunglings and the developments in Turkey in regard to Khilafat caused a set-back, and a sense of frustration set in.

The Muslims, in particular, were sorely disappointed. They had taken the initiative in the preparations for the campaign of non-co-operation. Smaller in numbers and poorer by far in material wealth, they had supplied the bulk of the funds, and when the time came they filled the jails in larger numbers and were foremost in renouncing titles and relinquishing Government posts. A feeling spread among them that their sacrifices had gone in vain due to the machinations of the Hindu leaders. The failure of the movement had resulted in the ruin of the lives of lakhs of Muslims, misery for Muslim families, set-back to their educational and economic advancement, and increasing aggressiveness of the Hindu majority

in all spheres. The facade of unity broke down, Shuddhi and Sanghtan movements were started to convert poor Muslims to Hinduism and to arm the Hindus, and Hindu-Muslim riots broke out throughout the country.

The Congress itself was threatened with a split, its ranks being divided into two factions—the "No-changers" headed by Mr Rajagopalachari stood uncompromisingly for non-co-operation and were opposed to entering the legislatures, and the other faction led by Pandit Motilal Nehru favoured "responsive co-operation" and was keen to join the legislatures. It was against this background that Mohammed Ali on his release was called upon to preside at the session of the Congress in Coconada in South India in 1923. Though himself a "no-changer," Mohammed Ali brought about a compromise between the two factions and saved the Congress from disintegration. In his scholarly address to the Congress session he gave a graphic review of the historical forces affecting India's destiny and a brilliant appraisal of the religious, social and political problems facing India. It may be recalled that it was at his instance that Pandit Jawaharlal Nehru, then a comparatively young man, was elected as Secretary of the Congress at Coconada.

A word may be said about the result of the non-co-operation movement. Viewed in historical perspective, it was a failure so far as attainment of the immediate objective was concerned. But, taking it as an important link in the chain of the freedom struggle which was a continuous process, it did serve a purpose. So far as immediate failure was concerned it is attributable to four factors: first, it was based on an ephemeral unity of the different communities, especially the Hindus and the Muslims, resting on emotional ebullience arising from the negative feeling of resentment against the tyranny of a foreign power rather than a realistic appreciation of the internal situation and a solid understanding and accord between the communities regarding their rights, interests and claims; second, it was a mixture of religious fervour and political ferment with the result that different communities subscribing to different religious creeds

had different notions, expectations and ambitions, leading inevitably to misunderstanding and conflict at a later stage; third, it comprised a programme which was not based on an adequate appreciation of the human capacities, limitations, shortcomings and aptitudes of the different communities; and fourth, Mr Gandhi's leadership failed at the crucial stage of the movement.

In the final analysis it would be unfair to assume that the Khilafat Movement was merely negative in its results. It broadened the Muslims' outlook, brought them in contact with other Muslim countries and made them aware of the affinities which bound them to other Muslim peoples. It also created in them a burning passion for freedom and emancipation from foreign rule and removed from their minds all notions of the immutability of the British Raj. They realised that they had potentialities and could stand up as a self-respecting people and hurl defiance at an imperialist power. The Khilafat Committee was a well-organised, broadbased, popular organisation which derived its support and strength directly from the masses.

A tribute is due to the Ali Brothers and other Muslim leaders for the selfless and heroic role they played in leading the struggle against British imperialism. The Muslims became conscious that they were not a negligible factor but, through proper organisation and determined effort, they could become a force to reckon with in the Indian bodypolitic. The experience they had acquired during the Khilafat Movement stood them in good stead in later years, and when the time came they effectively asserted themselves as a powerful factor and won their share in freedom.

CHAPTER THREE

THE AFTERMATH OF NON-CO-OPERATION

During the heyday of the Khilafat and Non-co-operation Movements the Muslim League which, till 1918, had functioned independently as an effective exponent of Muslim public opinion went into shade, because most of its leaders had joined either the Congress or the Khilafat Conference or both. It met for its annual sessions merely as an adjunct of the other two bodies. However, at the 1921 session of the League at Ahmedabad its President, Maulana Hasrat Mohani, struck a different note. In his presidential address he frankly stated: "The All-India Muslim League should either not adopt non-co-operation as its creed or if it does it should put no qualification of violent or non-violent. It is beyond our power to make non-co-operation peaceful or otherwise. So long as Government confines its punishments to shackles or jails, it is possible that non-co-operation may remain peaceful as it is to-day, but if things go further and Government resorts to hanging and machine guns, non-violent non-co-operation will be impossible."[1] It may be recalled that it was Maulana Hasrat Mohani who for the first time moved the resolution for "independence" at the Congress session at Ahmedabad but it was defeated owing to Mr Gandhi's strong opposition.

Some of the observations made by Maulana Hasrat in his address at the League session are significant, for they show that, in spite of his passionate desire for independence, he was not unmindful of the political realities existing in India. He said: "The generality of the Mussalmans with a few exceptions are afraid of the numerical superiority of the Hindus and are absolutely opposed to an ordinary reform scheme as a substitute

1. Mohammed Amin Zuberi, *Siyasat-i-Millia*, p. 165.

for complete independence. The primary reason for this is that in a merely reformed, as contrasted with an independent, Government they will be under a double subjection. First, a subjection to the Government of India which will be common to the Hindus and Muslims; secondly, a subjection to the Hindu majority which they will have to face in every department of the Government. On the other hand, if the danger of the English power is removed, the Mussalmans will only have the Hindu majority to fear and fortunately this fear is such as will be automatically removed with the establishment of the Indian Republic; for while the Mussalmans, as a whole, are in a minority in India, yet nature has provided a compensation: the Mussalmans are not in a minority in all the provinces. In some provinces such as Kashmir, the Punjab, Sind, Bengal and Assam the Mussalmans are more numerous than the Hindus. In the "United States of India" the Hindu majority in Madras, Bombay and the U.P. will not be allowed to overstep the limits of moderation against the Mussalmans."[2]

Pandit Madan Mohan Malaviya, a front-rank Congress leader who was known for his anti-Muslim feelings, went about the country propagating the Sanghtan movement and exciting chauvinistic passions among Hindus. In his speech he referred to the Muslims as hooligans and blackguards and expressed his determination to train Hindu women in the use of pistols and rifles to defend themselves, and the goddess Kali. Addressing the Hindu Mahasabha session at Gaya, Pandit Malaviya said: "The present generation of Hindus is very weak and cowardly. We do not have the strength to defend ourselves. If the Hindus become strong and powerful and themselves defend their *Dharma*, Hindu-Muslim riots will become impossible."[3] Such utterances naturally poisoned the atmosphere resulting in Hindu-Muslim riots, and the Hindu-Muslim unity on which Congress propaganda had laid so much stress was breached. A typical incident which showed how fragile and unreal the show of Hindu-Muslim unity had been was the defeat of a prominent Congress Muslim leader, Mr

2. Syed Sharif-ud-Din Pirzada, *Evolution of Pakistan*, pp. 92-3.
3. Mohammed Amin Zuberi, op. cit., p. 169.

Asaf Ali, at the hands of an obscure Hindu candidate in the election to the Central Assembly from Delhi on the basis of joint electorate. Pandit Motilal Nehru had to remark that Pandit Malaviya by opposing able Muslim candidates in joint electorate constituencies had buried joint electorate deep.

The attitude of the Hindu leaders, including even Mr Gandhi, against the Muslims was hardening. The demand was growing that the Muslims must be prevented from killing cows and eating beef. Mr Gandhi equated the question of cow-protection with the question of Swaraj itself and said: "We cannot achieve Swaraj unless we can ensure protection of cows".[4] Mr Gandhi's real intent regarding the Muslims was revealed in an article in his paper *Young India* as follows: "Muslims are either the progeny of Arab invaders or persons separated from us. If we wish to maintain our prestige, there are three remedies: one, they should be weaned away from Islam and brought back to their old Dharma; two, if that is not possible they should be returned to their ancestral land; three, if even this is difficult they should be kept as subjects in India."[5]

All this propaganda and these activities led some Muslim leaders to devise some defensive measures to protect the Muslims. At the Khilafat Conference held in 1924 Dr Saifuddin Kitchlew proposed a programme of *Tanzim* which, however, was opposed by the Ali Brothers on the ground that it would militate against Hindu-Muslim unity. Dr Kitchlew independently formed a *Tanzim* organisation. To counter the move for conversion of poor and ignorant Muslims to Hinduism the Muslim leaders founded the Anjuman-e-Tabligh-ul-Islam with Mir Ghulam Bhik Nairang as its Secretary and its headquarters at Ambala. The Anjuman deputed preachers to the Punjab, Rajputana and U.P. who worked successfully among the Muslims who were the target of Shuddhi propaganda.

In the political sphere too the Muslim leaders realised the need for independent action to protect the rights and interests of the community while working for the attainment of self-government. No session of the Muslim League was held in 1922. The

4. Ibid., p. 175. 5. Ibid., pp. 175-6.

next year the League held its session at Lucknw under the presidentship of Mr Ghulam Mohammed Bhurgri of Sind but it was adjourned to meet again at Lahore in May 1924. Mr Jinnah who was to preside at this session explained its objects in a statement. He said that the two questions agitating the Muslim mind were the proportion of representation in the country's legislatures, municipal and local bodies, and percentage of Muslims in the services of the country. With his characteristic suavity he declared: "The settlement with regard to these questions can only be brought about by a spirit of 'give and take'. For that purpose it is necessary to infuse a friendly feeling and a sense of fairness on both sides. Unfortunately the recent rivalry displayed by the Shuddhi and the Sanghtan movements roused prejudices on the cow-killing and the playing of music near mosques—these are the outstanding features of the trouble, and we desire, if possible, to make both parties cry halt in that direction and inculcate in both parties a spirit of 'live and let live'."[6] Mr Jinnah felt that this consummation could be brought about by making the All-India Muslim League once again a living and well-organised political body as it was, because in that way alone the leaders would be able to speak with authority and be in a position to bring about a complete settlement which would be acceptable to the Muslim public. Thus, Mr Jinnah was trying to bring Muslim political activity back to a rational course and promote, if possible, another political agreement between the Hindus and Muslims on the lines of the Lucknow Pact which would ensure progress for all elements.

This session of the League witnessed, after a lapse of five or six years, the assembly of leaders of all shades of opinion on one platform. If there were moderate leaders like Mian Fazli Husain, Sheikh Abdul Qadir, Chaudhri Shahabuddin, Maulvi Abdul Qasim, Dr Ziauddin Ahmad and Maulvi Mohammed Yakub, there were also leaders of the advanced wing like Maulana Mohammed Ali, Mr Asaf Ali, Mr Mushir Husain Kidwai, Ghazi Abdur Rehman, Malik Barkat Ali and Syed Habib Shah. In his presidential address Mr Jinnah explained

6. M.H. Saiyid, *Mohammed Ali Jinnah: A palitical Stndy*. p. 204.

how the League had to go into the blackground during the previous years and how the Triple Boycott programme of the Congress failed. He also referred to the emergence of an important wing of the Congress which formed the Swaraj Party and entered the legislatures. He felt that the result of the previous three years was "a fearless and persistent demand that steps be taken for immediate establishment of Dominion Responsible Government in India". Reiterating his conviction that "one essential condition to achieve Swaraj is the political unity between the Hindus and the Mussalmans" Mr Jinnah declared: "I am almost inclined to say that India will get Dominion Responsible Government the day the Hindus and the Mussalmans are united. Swaraj is almost an interchangeable term with Hindu-Muslim unity".[7] He had no doubt that if the Hindus and Muslims made a wholehearted and earnest effort, they would be able to find a solution once more as they did at Lucknow in 1916, and then he thought "India, united and strong, will be able to really galvanise the British Parliament and the British Nation into action and force their hands to grant Dominion Responsible Government to India."[8]

Mr. Jinnah also drew attention to the need of advancing "the commercial, industrial and agricultural progress and welfare in all their varied activities in the country and strive to get a sound system of finance and currency". He pleaded that steps be taken "to organise labour in the country, industrial as well as agricultural, including ryots and peasants, to bring about speedy improvement in their economic condition and protect their interests". He drew pointed attention to other questions of national importance such as universal elementary education, indigenous industries and manufacture, National Education, settlement of disputes by arbitration, defence of India, Indianisation of the Army. While he supported the demand for reforms provided the rights and interests of the minorities were safeguarded, he was opposed to any policy of deliberate and wanton wreckage or destruction. He was in favour of extracting all the good from the Government

7. Jamil-ud-Din Ahmad, *Speeches and Statements of Mr Jinnah*, p. 132.
8. Ibid., p. 133.

by and through the legislatures, but if Government's response to the National demand for Reforms was unsatisfactory as a last resort they should, if necessary, adopt all means and measures to bring about parliamentary obstruction and constitutional deadlocks. Taking note of the Turkish National Assembly's decision to abolish Khilafat, he expressed the hope that a Congress of the Mussalmans of the world which was in contemplation would have, when it met, in its midst all those most qualified and competent to speak on the question, and the united wisdom of those learned in the Law and Religion of Islam would find a solution of what then appeared to be one of the most amazingly complicated questions. Mr Jinnah concluded his address by reiterating the universal demand that "steps must be taken to scrap the present constitution and devise a constitution in consultation with the representatives of the people which will give them a real control and responsibility over their affairs and full scope for development of all their resources and enable them to stand as free people under the full-fledged Dominion Responsible Government amongst the ranks of the nations of the world".[9]

The main resolution moved at the session by Sheikh Abdul Qadir stipulated the following principles for any scheme of the future constitution: (*a*) the existing provinces to have full autonomy and to form a federation confined only to matters of common concern; (*b*) any territorial redistribution not to affect the Muslim majority in the Punjab, Bengal and N.-W.F.P.; (*c*) the basis of representation in elected bodies to be population except that very small minorities might be given representation in excess of their numerical proportion provided that no majority be reduced to a minority or even an equality; (*d*) guarantee of liberty, belief, worship, observances, propaganda, association and education to all communities; (*e*) representation of communal groups to continue by means of separate electorates provided any community could abandon its separate electorate in favour of joint electorate; (*f*) no bill or resolution affecting any community be passed in any legislature if three-fourths of the members of the community affected opposed it.

9. Ibid., p. 136.

The clauses (*a*), (*b*), (*d*) and (*f*) were adopted without much discussion. Dr Ziauddin Ahmad moved an amendment to substitute the following in place of clause (*c*) of the original resolution: "The mode of representation in the legislature and in all other elected bodies shall guarantee adequate and effective representation to minorities in every province subject however to the proviso that no majority shall be reduced to a minority or even to an equality." It was supported by Maulvi Mohammed Yakub, Chaudhri Shahabuddin, Maulvi Abul Qasim and Mian Fazli Husain, but opposed by Maulana Mohammed Ali and Ghazi Abdur Rehman. On a division being taken the amendment was carried by 126 against 83 votes.

By another resolution the League characterised the reforms granted by the Government of India Act of 1919 as "wholly unsatisfactory and altogether inadequate" because of the "virtual absence of any responsibility of the executive to the elected representatives of the people in the legislature" and urged that immediate steps be taken to establish full responsible government having regard to the principles stipulated by the League which in the League's opinion could only be done by a complete overhaul of the Government of India Act of 1919 and not merely by holding an inquiry to discover defects in the working of the Act.

Thus the All-India Muslim League, under Mr Jinnah's guidance, gave a rational but progressive lead in the matter of political and constitutional advance and the protection of the legitimate rights and interests of the Muslims. Replying to criticisms levelled against the decisions taken by the Muslim League, especially by Maulana Mohammed Ali who was President of the Congress at that time, Mr Jinnah said: "I have very little doubt in my mind that population basis will not be accepted by the Muslims. I am not, as it is well known, one of those who are enamoured of separate electorates and separate representation. But the Muslim opinion is so strong on this question that we might take it as a settled fact for the time being. On that basis the Muslims should have an adequate and effective representation wherever they are in a minority."[10] He

10. M.H. Saiyid, op. cit., pp. 206-7.

pleaded that the percentage and the ratio could be fixed by mutual goodwill and consent in order to ensure the success of any scheme that might come into force. He concluded with the assurance that "if the Muslims ought to be organised it is not with a view to prejudicing national advance or national interests but, on the contrary, to bring them into line with the rest of India".[11]

With the intensification of the propaganda for Shuddhi and Sanghtan there was an alarming increase in Hindu-Muslim clashes which usually occurred owing to the insistence of Hindus on playing music before mosques at the time of prayers and to their opposition to the Muslims' right to sacrifice cows on the occasion of Bakr Id. The Congress leaders, including Mr Gandhi, failed to check the rise of communal aggressiveness on the part of the Hindu majority. They would not go beyond paying lip service to the ideal of Hindu-Muslim unity but they would not look into the causes of Hindu-Muslim tension and friction. There was no response from the side of the Hindus to the earnest plea made by the Muslim League at its Lahore session in May 1924 for mutual consultations to frame a mutually acceptable constitution. The Hindu leaders' unwillingness or inability to face realities is pointed out by the Hindu historian, R. C. Majumdar, as follows: "The Hindu leaders deliberately ignored patent truth and facts of history when they refused to recognise the fundamental differences between the Hindus and Muslims which made them two distinct religious, social and political units. The consequence was that no serious effort was ever made by the Hindu leaders to tackle the real problem that faced India, namely how to make it possible for two such distinct units to live together as members of one State."[12]

A serious riot took place at Kohat in the former N.-W.F.P. in September 1924 which attracted the attention of Hindu leaders because the number of casualties was larger among the

11. M.H. Saiyid, op. cit., p. 207.

12. R. C. Majumdar, *A History of the Freedom Movement*, Vol. I, p. xix.

Hindus. The communal tension was high and its repercussions were felt in N.-W.F.P. The Hindus constituted a small but influential group in Kohat. Throwing discretion to the winds, they offered an affront to Muslim feelings by publishing a pamphlet containing an abusive and scurrilous poem against the Ka'aba and the Holy Prophet. It was issued by the Secretary of the Sanatan Dharma Sabha of Kohat. He was arrested but soon released upon which the Hindus made public demonstration of their joy. This naturally caused deep resentment among the Muslims. The Hindus having themselves created tension became panicky and resorted to firing on the Muslims on 9 September which touched off a large-scale conflict. There was killing, looting and burning in which both sides suffered on the first day, though later the number of casualties was naturally larger among the Hindus. There were no real conversions of Hindus. All that happened was that some Hindus to save their lives professed to be Muslims for the time being or requested their Muslim neighbours to represent them as Muslims. The Hindu population pulled out of Kohat and temporarily migrated to Rawalpindi.

Mr Gandhi and Maulana Shaukat Ali proceeded to hold a joint inquiry into the Kohat riots but they were not allowed to visit Kohat. They held the inquiry at Rawalpindi. The Hindu and Muslim witnesses gave different versions and the two leaders themselves expressed different views in their statements after the inquiry. Mr Gandhi in his subtle style tried to find excuses for Hindu conduct and put the blame on the Muslims. For instance he said in his statement: "I am not sure who fired the first shot; but assuming that the Hindus did it, it was done in panic and in self-protection and therefore excusable if not justifiable, and that the reprisals taken were wholly unwarranted. Therefore, it is the Mussalmans who owe them such reparation as is possible under the circumstances."[13] This is the opinion expressed by a man who was never tired of preaching Ahimsa (non-violence) and professing to have equal love for both Hindus and Muslims. Maulana Shaukat Ali's statement, on the

13. *Indian Annual Register, 1924*

other hand, was forthright and free from quibbles. He expressed the view that "the incident at Kohat was not a one-sided affair and I blame both Hindus and Muslims. However, as a Muslim I feel it my duty to put the greater blame on the Mussalmans. They are stronger both physically and in number and even under great provocation they ought to have shown greater patience and forbearance."[14] He urged the Mussalmans to make up with their Hindu brethren and equally urged "the Hindu brethren to stand by their Muslim neighbours and make them feel that they have in them good neighbours and real friends and helpers".[15]

Mr Gandhi never condemned the excesses and atrocities frequently perpetrated on the educationally backward and economically weak Muslim minority in the Hindu-majority provinces. But he was so worked up over the Kohat incident that he declared his resolve to go unto fast for twenty-one days from 17 September 1924. He was staying as the guest of Maulana Mohammed Ali in Delhi. All efforts by Hindu and Muslim leaders to persuade him to desist from his resolve failed. This was for the first time that he was using "fast" as a weapon of political coercion, and he was to repeat it several times in future years. Maulana Mohammed Ali, as President of the Congress for the year, telegraphically invited about 200 leaders of all parties and communities to meet in conference at Delhi to devise ways and means to restore communal amity. There was a good response and nearly 300 delegates attended the Conference which was held on 26 September under the presidentship of Pandit Motilal Nehru. It passed a number of resolutions including one which defined the rights and obligations of the two communities in respect of such items as cow-slaughter, music before mosque, *arti* (Hindu prayer with loud blowing of conches), etc. These had been the immediate causes of riots. The Conference established a Central National Panchayat of not more than fifteen persons to inquire into and settle all disputes and differences where necessary and desirable.

14. Indian Annual Register 1924.
15. Ibid.

Mr Gandhi did not accede to the request of the Conference to break his fast; he did so only after the expiry of twenty-one days, i.e. on 8 October 1924. The decisions of the Conference, however, remained on paper, and the Panchayat accomplished nothing. Riots continued to occur at different places.

In December 1924 the All-India Muslim League held its seventeenth annual session at Bombay under the presidentship of Syed Raza Ali of U.P. With regard to the Kohat happenings the Muslim League deeply deplored the great loss of life and property but placed on record its view that "the sufferings of the Hindus of Kohat are not unprovoked" for the facts brought to light made it clear that "gross provocation was offered to the religious sentiments of the Mussalmans and the Hindus were the first to resort to violence and further that, though their sufferings were very great and they were deserving of the sympathy of the Mussalmans it was not they alone that suffered".[16] The League earnestly recommended to the Mussalmans of Kohat "to invite the Hindu residents of Kohat to return to Kohat and to settle their differences with the Mussalmans of the place honourably and amicably," and trusted that "while the Hindus will in future avoid provoking the Mussalmans, the latter will refrain from resorting to violence and would refer all disputes to the arbitration of the trusted leaders of the two communities".[17] The League also condemned the failure of the authorities to take proper steps to prevent the Kohat tragedy and to protect the lives and property of the Hindu and Muslim citizens of Kohat.

The Muslim League reiterated the resolution passed at its previous session at Lahore in May 1924 strongly urging upon the Government "the immediate and paramount necessity of introducing reforms in the N.W.F. Province and of placing that province in all respects in a position of equality with the other major provinces of India".[18] With regard to the larger political question the League appointed a special committee

16. *Resolutions of the All-India Muslim League, 1924 to 1936*, published by its Central Office, pp. 14-5.

17. Ibid.

18. Ibid., p. 9.

consisting of thirty-three leaders from different provinces "to formulate the Muslim demand regarding the representation of the Muslim community in the legislatures of the country and in other elected bodies and their due and proper share in the public services with power to them to confer with the other political organisations and report to the Muslim League".[19] The League also took note of the activities of anarchical organisations and while condemning them it also expressed strong disapproval of the Governor-General's action in promulgating the Criminal Law Amendment Ordinance of 1924, for it considered this measure "a direct invasion upon individual liberty," as it easily lent itself in the hands of the Executive "to grave abuses resulting in implicating innocent persons and in interfering with constitutional political activity, as past experience of similar measures has repeatedly demonstrated".[20] The League recorded its conviction that "the present political situation in India is due to the denial of just rights of the people long over due and that the speedy establishment of Swaraj is the only effective remedy therefor".[21]

There was another attempt to forge unity among different political parties in India. Maulana Mohammed Ali, as President of the Congress, invited representatives of all parties to meet the All-India Congress Committee at Bombay on 21 and 22 November 1924. He stood down and invited a Parsi leader, Sir Dinshaw Petit, to take the chair. Mr Gandhi moved a resolution for the appointment of a committee to consider the best way of reuniting all political parties in the Indian National Congress, to prepare a scheme for Swaraj including the solution of Hindu-Muslim and like questions in their political aspects and to report not later than 31 March 1925. The Committee met at Delhi on 23 January 1925 under the presidentship of Mr Gandhi. Prominent among the members attending were Maulana Mohammed Ali, Maulana Shaukat Ali, Mr M. A. Jinnah, Sir Mohammed Shafi, Dr M.A. Ansari, Sir Abdul

19. Resolutions of the All-India Muslim League, op. cit., p. 13.
20. Ibid., p. 12.
21. Ibid.

Qaiyum, Dr Saifuddin Kitchlew, Maulana Abul Kalam Azad, Pandit Motilal Nehru, Mrs Annie Besant, Pandit Madan Mohan Malaviya, Mr Srinivasa Iyengar, Mrs Sarojini Naidu, Lala Lajpat Rai, Babu Rajendra Prasad, Mr M. R. Jayakar, Mr V.J. Patel, Mr Bepin Chandra Pal. Mr Gandhi explained that the objects of the Conference were to explore the avenues of communal and political unity and formulate a scheme of Swaraj. He suggested the appointment of a sub-committee to indicate the lines of agreement. There was a lively discussion, many of the Hindu leaders doubting the utility of appointing such a committee. Ultimately Mr Gandhi's proposal was accepted and a sub-committee of forty members was appointed: (*a*) to make such recommendations as would enable all parties to join the Congress, (*b*) to frame a scheme for the representation of all communities, races, and sub-divisions on the legislative and other elective bodies under Swaraj, and recommend the best method of securing the just and proper representation of the communities in the services with due regard to efficiency, and (*c*) to frame a scheme of Swaraj that will meet the present needs of the country.

In the course of the discussion Mr Gandhi expressed the view that if the Committee could arrive at a satisfactory and honourable solution of the Hindu-Muslim problem and the Brahmin and non-Brahmin problem they would have made a very substantial advance towards Swaraj. The Muslim point of view was ably stated by Mr Jinnah in an effective speech. Explaining the background of the Lucknow Pact Mr Jinnah said it was arrived at in a scheme formulated as a first necessary step towards the establishment of complete self-government. For the purpose of that first step they wanted an adjustment of the representation of all communities. As a party to the Lucknow Pact, Mr Jinnah declared that it was never intended to be permanent. Referring to the demand that the Muslims should submit to joint electorate in the Punjab and Bengal, he said the Muslim plea was that in such an electorate their voting strength would become almost nil and they would not get even 10% or 15% seats. He pointed out that, despite the advance that had been made by both the communities, there was

still the fact that in polling booths feelings and sentiments largely played and voters exercised their powers by giving votes to their own co-religionists. Since the Conference was contemplating the establishment of Swaraj there was, Mr Jinnah asserted, every justification on the part of Hindus and Mussalmans to get the Pact revised. There were a few who desired Utopia but facts had to be faced. The large bulk of both the communities had no real confidence in each other. Mussalmans in the Punjab and Bengal felt that they should be restored to their majority. The Lucknow Pact, Mr Jinnah, recalled was designed to protect the minorities by two methods. One was greater representation than the number warranted. The other was a provision that no resolution or bill affecting a community should be proceeded with if three-fourths of the members of that community in the Legislature were opposed to it. This provision, however, remained a dead letter. Concluding Mr Jinnah said on behalf of the Muslims that they claimed that the Punjab and Bengal Mussalmans should not be reduced to a minority and that in the other provinces the two principles of safeguarding minorities should be accepted as in the Lucknow Pact and the question of representation on the services should be taken up separately.

Lala Lajpat Rai repeated the usual Hindu argument that communal representation was a negation of Nationalism and it was practically dividing the country into watertight compartments. Ignoring realities he said: "I ask you to consider this question not in the interests of the Hindu or Mohammedan community but as one united nation which should stand against those who do not want to give us self-government."[22] He deprecated as a backward step "any patched-up agreement by way of altering the figures of representation".[23]

The Sub-Committee divided itself into two groups, one to outline a scheme of Swaraj and the other to deal with the Hindu-Muslim question. The Swaraj Sub-Committee drewup a scheme providing for a constitution based on Dominion Status with a Cabinet responsible to a bi-cameral legislature indirectly

22. Indian Annual Register, 1924.
23. Ibid.

elected by the provincial legislatures, local bodies, educated persons and bodies like Chambers of Commerce, landholders' associations, trade union councils, etc. But the Hindu leaders showed little interest in the settlement of the Hindu-Muslim question. Leaders like Lala Lajpat Rai, Mr Jayakar, Mr Srinivas Iyenger and Mr Jairam Das abstained from attending. The Sub-Committee held a few sittings but adjourned *sine die* on 1 March 1925 without coming to any conclusion. Mr Gandhi and Pandit Motilal Nehru in a joint statement explaining the adjournment said that the attendance was too meagre for coming to any decision and added: "In our opinion there was, moreover, no material for coming to any definite conclusions nor is there any likelihood of any being reached in the near future."[24]

This shows what importance the Hindu leaders attached to a satisfactory and equitable settlement of the Hindu-Muslim question. Here it may be recalled, as was pointed out by Mr Jinnah in his speech, that the Congress had as far back as 1918 appointed a committee consisting of Lala Lajpat Rai, Dr Ansari and a Sikh gentleman to revise the Lucknow Pact. This committee drew up the terms of a National Pact. Meantime the great Bengali leader, Mr C. R. Das, noted for his liberality and breadth of outlook, had got the Bengal Provincial Congress Committee to approve a Hindu-Muslim Pact in respect of Bengal on the following lines:

1. Representation in the Legislative Council on the population basis with separate electorates.

2. Representation to local bodies to be in the proportion of 60 to 40 in every district—60 to the community which is in majority and 40 to the minority.

3. Fifty-five per cent of the Government posts should go to the Muslims.

4. No music should be allowed before the mosques.

5. There should be no interference with cow-killing for religious sacrifices, but the cow should be killed in such a manner as not to wound the religious feeling of the Hindus.

24. Indian Annual Register, 1925.

This Pact, however, was not approved by the Subjects Committee of the Indian National Congress at Coconada in 1923 which turned it down by 676 votes against 458. The draft of the National Pact prepared by Lala Lajpat Rai and Dr Ansari was referred back to the sub-committee appointed at Delhi in January 1925 but it was shelved. Thus the efforts made over a number of years to bring about a genuine Hindu-Muslim understanding which would pave the way for political and constitutional progress were frustrated because of the indifferent and unhelpful attitude adopted by the Hindu leaders. They had not out grown the belief that they could achieve the kind of freedom they desired by ignoring the just claims and rights of the Muslims.

CHAPTER FOUR

REFORMS IN THE FRONTIER PROVINCE AND MUSLIM UNITY

A certain debate relating to constitutional reform which took place in the winter session of the Indian Legislative Assembly brought out two things—first, the Muslims of India thought and acted in terms of a political unit; second, even those sections of the Hindu majority which claimed to be national and secular in outlook were unwilling to concede elementary constitutional rights to the Muslims where they happened to be in majority. On 16 February 1926 Syed Murtaza Saheb, a member from Madras, moved the following resolution in the Assembly: "This Assembly recommends to the Governor-General in Council that he be pleased to extend to the N.W. Frontier Province, the provisions of the Government of India Act, which relate to the Legislative Council and the appointment of Ministers, etc., with protection to minorities."[1] It was a strange anomaly that while all provinces had received whatever benefits the Montagu-Chelmsfort Reforms conferred, the N.-W.F.P. alone was kept out of the ambit of the Government of India Act, 1919, on one pretext or another. This was a case in which both the British Government and the Hindu majority, each for its own reason, were united in opposition to the extention of reforms to a Muslim-majority area.

Syed Murtaza Saheb was not a "communalist" which was an epithet applied by the Congress leaders to anyone who demanded justice for the Muslims. He was a member of the Congress as well as the Muslim League and in the Assembly he was a member of the Swaraj Party led by Pandit Motilal Nehru.

1. *Speeches and Statements of Quaid-i-Azam*, op. cit., p. 238.

This sturdy "nationalist" from remote Madras rose to advocate the just rights of the Muslims of far-flung N.-W.F. Province. But many members of his own party opposed his resolution on the plea that since they demanded Swaraj for India how could they support application of the Government of India Act, 1919, to the Frontier Province? They had, of course, no objection to the application of the same Act to the other provinces where the Hindus were in majority. The other Hindu leaders, particularly Pandit Madan Mohan Malaviya, were more outspoken in opposing the resolution. They referred to the Hindu-Muslim riots in the Frontier Province and averred that it would not be proper to concede power to the majority in a province where it had tyrannised over the minority. This argument was effectively rebutted by Raja Ghazanfar Ali Khan, member of Mr Jinnah's Independent Party. He asked what were those special conditions on account of which Pandit Malaviya claimed to deny reforms to the Frontier Province. He said: "Where have riots not occurred? Have they not occurred in Panditji's own province? Could the people of U.P. be considered unfit for freedom on that account? Riots have taken place in every province. Do the riots in N.-W.F. Province have a special significance only because a particular community is in minority there?"[2]

In the meantime the Swaraj Party decided to boycott the remainder of the session of the Assembly. Syed Murtaza Saheb asked for the Party's permission to attend the Assembly when discussion on his resolution was to be resumed and concluded on 18 March, but the Party leader Pandit Motilal Nehru refused him permission. Syed Murtaza said that he was prepared to be expelled from the Party but he could not leave his resolution in a forlorn condition in the Assembly.

When discussion was resumed, the most weighty contribution, as usual, was made by Mr. M.A Jinnah, leader of the Independent Party. To start with, he made it clear that he did not wish to deal with this question from the communal point of view at all. He said that the incidents which had taken place in the N.-W.F. Province and other provinces were, indeed, deplorable,

2. Syed Nur Ahmad, *Martial Law Se Martial Law Tak*, p. 76.

but they did not constitute a reason why the question of N.-W.F.P. should not be treated in the same spirit as the question of any other province. He argued that India was not the only country where they had to face a problem of this character and in this connection he quoted a few passages from the report of Lord Durham who described the bitter conflict between the British and the French in Canada and yet recommended the establishment of responsible government in that country. For instance, Lord Durham observed: "The first point to which I would draw your attention, being one with which all others are more or less connected, is the existence of a most bitter animosity between the Canadians and the British, not as two parties holding different opinions and seeking different objects in respect to Government, but as different races engaged in a national contest. . . . the mutual dislike of the two classes extends beyond politics into social life where with some exceptions again all intercourse is confined to persons of the same origin. Grown-up persons of different origins seldom or never meet in private society and even when the children quarrel they divide themselves into French and English like their parents."[3] Mr Jinnah asserted that this was a much worse condition than what existed in India then and, therefore, there was no reason to despair. It was a problem which, he felt, they had to solve and they would solve if they worked together.

Turning to the question whether the people of N.-W.F. Province possessed the requisite qualifications, Mr Jinnah quoted the opinion expressed by the majority of members of the Frontier Inquiry Committee presided over by Sir Denys Bray as follows: "The frontier inhabitants are assuredly not behind the rest of India either in intelligence or capacity to manage, their own affairs. Their aspirations for reforms have been awakened into full consciousness and will not be satisfied by anything short of the essentials of the reforms enjoyed elsewhere."[4]

Mr Jinnah then referred to the proposal for amalgamation

3. *Speeches and Statements of Quaid-i-Azam*, op. cit., p. 239.
4. Ibid., p. 240.

of the N.-W.F.P. with the Punjab so that the position of the Hindu minority might improve. He said the people of the Frontier were different from those of the Punjab and there was no reason to force them into amalgamation against their will. The N.-W.F. Province was not a small province; it had a population of 4 millions, but in Europe there were independent States of which the population did not exceed 2 millions. But amalgamation or no amalgamation, Mr Jinnah contended, reforms must be given to that province. Mr Jinnah posed the question: "What benefit would you get if no reforms are given to this province or what prejudice, what harm will be caused to the Hindus if the reforms are given to this province?" [5] He further asked whether there was one principle for the people of India and another for the people in the North-West Frontier Province of India.

The people of the Frontier Province were living under a despotic administration, and in this connection Mr Jinnah quoted a passage from an Anglo-Indian paper, *The Times of India* of Bombay: "While fighting the battle of freedom day by day these Hindu organisations yet find it in their hearts to advocate a continuance of the obscurantist, mediaeval principles of Government, bureaucratic high-handedness and policy of *zoolum* for which the Frontier Government has been so often criticised."[6] He asked whether they wanted these conditions to continue.

Addressing the Treasury Benches, Mr Jinnah called upon the Government not to delay giving a definite answer to the question of introduction of reforms in N.-W.F. Province, for silence on its part was likely to make the Mussalmans feel that "it is the Hindu opposition based on the sole plea of Hindu-Muslim strife in that province that is coming in the way of their getting any advance, and the Hindus will be encouraged to feel that, as they are going on with this agitation and passing resolution after resolution, the Government are changing their attitude and are afraid. . . . This is an impression which is fraught with danger. I am only pointing out that if you do not wish to take any step on the majority report, if you do not wish to do anything, say so with-

5. *Speeches and Statements of Quaid-i-Azam*, op. cit.. p. 241.
6. Ibid., p. 243.

out delay. If, on the other hand, you wish to do something, then I appeal to you most earnestly to make your declaration without delay."[7]

Mr Jinnah's cogent and eloquent pleading had a telling effect and Syed Murtaza Saheb's resolution was ultimately passed by the Assembly. But the persistent opposition of Hindu organisations and the continued dilly-dallying on the part of the Government deprived the people of the Frontier Province of their legitimate rights for many more years. The demand for introduction of reforms in the Province was pressed by the Muslim League and other Muslim organisations from year to year. It was an important item in the resolution passed by the All-Parties Muslim Conference in 1929 and in Mr Jinnah's famous Fourteen Points. It was also vigorously advocated by the Muslim delegation at the Round Table Conference in London. Ultimately the British Government announced at the second session of the Round Table Conference in 1931 its decision to introduce reforms in the N.-W.F. Province in terms of the Government of India Act of 1919, and the decision was implemented in 1932. The episode of reforms in the Frontier Province is yet another example to show that even for legitimate rights, long overdue, the Muslims of the subcontinent had to put up a long, persistent and stubborn fight against two forces—British imperialism and Hindu communalism.

Muslims Regain Unity Through Aligarh

The Muslims had played a part and made sacrifices in the Khilafat and Non-co-operation Movements out of proportion to their numerical strength and financial resources. The failure of these movements left them exhausted, demoralised and disillusioned. The unity in their ranks too suffered a set-back. The All-India Muslim League which symbolised their political unity had temporarily gone into shade. Through Mr Jinnah's efforts it had been revived in 1924 and it resumed its role of political guide of the Muslims. In December 1925 an event of unusual significance took place which enabled them to regain and

7. *Speeches and Statements of Quaid-i-Azam*, op. cit., p. 246.

demonstrate their unity and solidarity, It may be recalled that Aligarh had ever since its inception as a central educational institution served as the nerve-centre of Muslim India and the focus of their hopes and aspirations. It completed fifty years of its existence on 24 May 1925 and the authorities of the University decided to celebrate its fifty-year Jubilee in the last week of December 1925.

The Jubilee evoked enthusiasm from all sections of the Muslims throughout the subcontinent. Besides the Jubilee celebrations, a number of other bodies, such as the All-India Muslim League and the All-India Muslim Educational Conference, also held their sessions during the week at Aligarh. The University had had a stormy start in 1920 when the enforcement of the University Act synchronised with the attack made by the non-co-operators headed by Mr Gandhi. Over the next five years it had had time to recover from the attack and consolidate itself. The Jubilee attracted about 7000 guests and visitors from all parts of India which represented the biggest gathering of the Muslim intelligentsia. The University had the distinction of being presided over by Her Highness Sultan Jehan Begum, Ruler of Bhopal, who was its Chancellor. Invitations were issued on her behalf. With her characteristic munificence Her Highness contributed handsomely to the making of arrangements for this grand assembly. A city of tents grew up and a beautiful pandal was set up on the spacious grounds of the University. The students under the dynamic guidance of the Pro-Vice-Chancellor, Dr Ziauddin Ahmad, rose to the occasion and worked day and night with deep devotion and selflessness to make the Jubilee a success and serve the guests, visitors and leaders.

Aligarh in its catholicity embraced men of different shades of opinion. It had a place in the affections and loyalties of Muslim India such as no other institution could claim. It was a heartening spectacle to see leaders of different schools of thought gathered on one platform, all animated by a common desire to promote the good of the Muslims and of the country at large. If there were leaders of what was called the "advanced wing" like Maulana Mohammed Ali, Maulana Shaukat Ali, Mr Ṭasadduq Ahmad Khan, Seth Yakub Hasan, Dr Syed Mahmood,

there were also independents like Mr M.A. Jinnah, Sir Abdur Rahim and Malik Barkat Ali, and moderates like Sir Ali Imam, Sir Rafiuddin Ahmad, Moulvi Mohammed Yakub and Sir Abdul Qadir.

The present writer, then a school boy, had the honour of attending the Jubilee. He recalls an interesting function which formed part of the celebrations. The University Union held for the first time an Inter-University Debate which was adjudged by a panel consisting of Mr M.A. Jinnah, Mr Justice Shah Mohammed Sulaiman, and Major E.W. Dann, a University Professor. The first prize was won by Mr Ataullah Jan representing Islamia College, Peshawar, and the trophy, a beautiful silver miniature of the University mosque, also went to the same College. (Mr Ataullah Jan later joined the Aligarh Muslim University and became Vice-President of the University Union.)

The Vice-Chancellors and Principals of the Universities of Britain and Ireland who had been invited to the Jubilee celebrations sent, through the Universities Bureau of the British Empire, a congratulatory message which stated *inter alia*:

Some of us can remember the opening of the Mohammedan Anglo-Oriental College in 1875 and have counted amongst our friends the successive Principals who with irrepressible enthusiasm have devoted long periods of their lives to giving shape to the great ideal which the imagination of the illustrious Founder of the College held forth, the ideal of a 'University whose sons shall go forth throughout the length and breadth of the land to preach the gospel of free enquiry, of large-hearted toleration and of pure morality.' We have watched with profound interest the growth in material wealth and in prestige of the College from its origin as a group of seven teachers and eleven students to a University occupying one of the finest sites in the Empire, with halls and hostels, including the University school, providing accommodation for upwards of 2000 students. The enlightened and far-seeing leaders of Muslim thought who shared Sir Syed Ahmad Khan's dream of a local centre for his famous national movement have not relaxed their efforts until now it has acquired a national habitation and a name".[8]

In view of the changing economic conditions in the country it was being realised that education imparted in the Universities

8. Mohammed Amin Zuberi, *Zia-i-Hayat*, pp. 333-4.

had too academic or literary a bias and a reorientation was called for. This opinion was reflected in the report read by Dr Ziauddin Ahmad at the University Convocation. He observed: "The ever-increasing number of students is causing anxiety, not only from the point of view of accommodation and educational facilities but also because of the uncertain prospects of work and livelihood for our educational products. To gain knowledge for the sake of knowledge is a noble object. But in view of the economic struggle in the present-day world it is not possible to work for this object. Our educational objective should not be merely to impart general culture but also to train the hand and the eye which may be of use in time of need. The time is past when sons of gentlemen considered it below their dignity to work with their hands. No one now asks as to what a graduate knows; they want to know what he can do. It is not now desirable to treat the University degrees a testimonial of what amount of knowledge the degree-holder possesses. It should be our endeavour to make it known as to what positive work the degree-holder can do."[9]

There was a general feeling that more stress should be laid on scientific studies and provisions should be made for the teaching of engineering and technology. To meet these requirements donations of Rs. 1,76,000 and promises of over Rs. 3 lakhs were made on the occasion of the Jubilee. The nucleus of a technological institute was laid which later grew into a full-fledged College of Engineering and Technology. The products of this College proved of great use to Pakistan when it eventually came into existence.

The Jubilee thus was not merely a festive event in the life of an educational institution. It served a larger and higher purpose, as it signalised a reawakening among the Muslims after a period of stagnation and frustration and enabled them to reassemble their scattered forces and resources and focus attention on constructive activities both in the social and political fields.

The All-India Muslim League too held its seventeenth annual session at Aligarh during the Jubilee week. The President of the

9. Mohammad Amin Zuberi, op. cit., p. 96.

session was Sir Abdur Rahim of Calcutta. In his learned presidential address he drew a graphic picture of the condition of the Muslims before the advent of the British rule and their degradation and emasculation since loss of power. He clearly expressed the view that the Hindus and Muslims were not just two religious sects like Protestants and Catholics but were two different nations. Their old traditions, their social life, their moral attitudes, their civilisation and culture, their history and religion had created a gulf which even a thousand years of living together had not been able to bridge. A peculiar kind of religious feeling kept the 23 crores of Hindus away not only from the Muslims but all mankind. He gave instances, particularly from the working of constitutional reforms in Bengal, to show how the Hindus used their numerical strength and administrative and political influence to harm the interests of the Muslims.

Referring to the history of the elective system in India, Sir Abdur Rahim pointed out that except for places where the Muslims commanded a dominant majority it was impossible for them to get elected through joint constituencies. No one could expect that in the existing circumstances joint electorate would be acceptable to the Muslims. Sir Abdur Rahim asserted that joint electorate with reservation of some seats for the Muslims would be even more objectionable. If Muslims were not elected at all to legislative councils and other self-governing bodies, they would be free to oppose those measures which were detrimental to their interests. If, however, some Muslims were elected through joint constituencies they would be entirely under obligation to the Hindus for their election. They would, therefore, be powerless to represent the views and wishes of their community and to protect its interests.

Sir Abdur Rahim pleaded for unity in the Muslim ranks, for a well-organised body could achieve success on whichever side it threw its weight. If they could not organise a united party of the Muslims in legislatures, the real object of separate electorate would be defeated. The views of a community on important questions could best be represented by men whom it elects by its own votes. Another important consideration was that separate electorates were not necessary merely for discussing communal

questions but also to afford the Muslims a proper opportunity to lend the weight of their strength and political thinking to the progress of the country and at the same time protect their rights. No doubt, the Muslim parties worked with other parties in day-to-day affairs, but they could not exercise their influence on others unless they were careful to preserve their unity. The Muslims should develop the capacity to enter into pacts and agreements with other communities, and the success of these agreements would depend on their unity and solidarity.

The League session addressed itself to the important political issues facing the country. On the question of constitutional advance it adopted a resolution expressing the opinion that the existing constitution of India must be amended and urging the Government to undertake revision of the Government of India Act of 1919 and without delay appoint a Royal Commission to formulate, after due inquiry and investigation, a scheme so as to place the Indian constitution on a sound and permanent basis with provisions for automatic progress towards establishment of full responsible Government in India, thereby securing stability in the Government and the willing co-operation of the people. The resolution declared that the following basic and fundamental principles must be secured and guaranteed in any scheme of the future constitution of India:

(1) All legislatures of the country and other elected bodies shall be constituted on the definite principle of adequate and effective representation of minorities in every province without reducing the majority in any province to a minority or even to an equality.

(2) The representation of communal groups shall continue to be by means of separate electorates as at present provided it shall be open to any community at any time to abandon its separate electorate in favour of joint electorate.

(3) Any territorial redistribution that might at any time be necessary shall not in any way affect the Muslim majority in the Punjab, Bengal, and North-West Frontier Province.

(4) Full religious liberty, i.e. liberty of belief, worship, observances, propaganda, association and education shall be guaranteed to all communities.

(5) No bill or resolution or any part thereof shall be passed in any legislature or in any other elected body if three-fourths of the members of any community in that particular body oppose such bill or resolution or part thereof on the ground that it would be injurious to the interests of that community or in the alternative such other method is devised as may be found feasible and practicable to deal with such cases.

The resolution was proposed by Sir Ali Imam and supported by Mr M.A. Jinnah, Sahebzada Aftab Ahmad Khan, Sir Rafiuddin Ahmad, Malik Barkat Ali and Dr Shafa'at Ahmad Khan, but opposed by the Ali Brothers and Maulvi Abdul Bari, Mohammed Saqi. Maulana Mohammed Ali in his speech called for a round table conference of representatives of all communities and political parties for the purpose of framing the constitution of a Swaraj Government. He opined that all communities should have representation in all elected bodies as far as possible in proportion to their members.

The demand for the separation of Sind from Bombay Presidency was made for the first time from the platform of the Muslim League. It adopted a resolution asserting that there was no ground, ethnological, geographical, or otherwise for the inclusion of Sind within the Bombay Presidency. Past experience had shown that such inclusion was in the highest degree detrimental to the best interests of the people of Sind and to the development of that part of India. Sind should, therefore, be separated from Bombay and constituted into a separate province.

While the Muslim League was naturally keen to ensure that the position of the Muslims was fully safeguarded in any scheme of constitutional reform that might be adopted, it was ready and willing to co-operate with other parties to accelerate political progress. It, therefore, resolved to appoint a committee "to frame a scheme of constitutional advance to be placed before the Royal Commission when appointed with due regard to the protection of the Muslim interests with power to invite the co-operation of other political organisations in the country in order to bring about, as far as possible, a proper adjustment of the differences of views existing among them in regard to the details of such a scheme and to submit the scheme thus framed for the

consideration and approval of the Council of the League".[10] Among the members of the Committee were Sir Mohammed Shafi, Sheikh Abdul Qadir, Malik Barkat Ali (Punjab), Sahebzada Abdul Qaiyum, Sardar Aurangzeb Khan (N.-W.F.P.); Syed Raza Ali, Sahebzada Aftab Ahmed Khan, Hafiz Hidayat Husain (U.P.); Sir Ali Imam, Nawab Sarfraz Husain Khan (Bihar); Sir Abdur Rahim, Khwaja Nazimuddin (Bengal) Mohammed Sharif (C.P.); Mr. M.A. Jinnah, Sir Rafiuddin, Mr Ghulam Husain Hidayat-ullah (Bombay), Mr Abbas Ali Khan (Madras); Mr Asaf Ali (Delhi).

10. *Resolutions of the All-India Muslim League*, p. 20.

CHAPTER FIVE

REFORMS INQUIRY AND THE SIMON COMMISSION

During the years 1924 and 1925 there were two important developments which originated from resolutions moved in the Central Legislative Assembly of India. One related to constitutional progress and the other to Indianisation of the Army. The Government of India Act of 1919 had provided for dyarchy in the provinces, that is, transfer of certain subjects to Indian Ministers responsible to provincial legislatures. There was no element of responsibility at the Centre. Soon the inherent defects of the scheme of dyarchy were discovered and Indian leaders found that even the limited measure of responsibility conceded in the provinces had proved ineffective. There was a demand for inquiry into the working of the Act and its revision with a view to meeting Indian aspirations.

On 8 February, 1924 Diwan Bahadur Rangacharia, a member from South India, moved a resolution in the Central Legislative Assembly recommending early revision of the Government of India Act with a view to securing for India full self-governing status within the British Empire and provincial autonomy in the provinces. Pandit Motilal Nehru, leader of the Swaraj Party, moved an amendment suggesting the summoning at an early date of a Round Table Conference to recommend with due regard to the rights and interests of important minorities the scheme of a constitution for India; and after dissolving the Central Legislature to place the said scheme for approval before a newly elected Indian Legislature and submit the same to the British Parliament to be embodied in a statute. The Home Member, Sir Malcolm Hailey, speaking on the resolution and the amendment, indicated that the Government was prepared to hold an inquiry and added: "If our inquiry into the defects of

the working of the Act shows the feasibility and the possibility of any advance within the Act, that is to say, by the rule-making power provided by Parliament under the Statute, we are willing to make a recommendation to that effect, but if our inquiry shows that no advance is possible without amending the Constitution, then the question of advance must be left as an entirely open and separate issue on which the Government is in no way committed. To that extent the scope of our inquiry goes somewhat beyond that originally assigned to it and I must again emphasise the fact that it does not extend beyond that scope to the amendment of the Constitution itself."[1]

In the course of the debate Mr Jinnah made a weighty contribution. He noted with approval that Government had conceded that they recognised the necessity of an immediate step being taken to examine, reconsider and revise the Government of India Act, 1919, but he did not agree with the character of the procedure defined by the Home Member, namely a departmental inquiry. Mr Jinnah supported the demand for a round table conference of representative men to frame a constitution in consultation with the Government, and he did not see what objection there could be to such a procedure, because he said, "We want you to take the people with you. We want you to start in a manner which will carry the support of the people with you."[2] Further elaborating the advantages of the procedure suggested in Pandit Nehru's amendment, Mr Jinnah said that after a scheme had been framed by the round table conference and the Central Assembly had been dissolved they would go to the people to seek re-election and the issue of the election would be the said constitutional scheme. If they came back with the mandate of the electorates who were after all the real masters then they would be in a position to give the sanction which would be lasting and which would give all the support the Government required. Any Government that was then formed would not be a Government run as it was at that time by a minority and supported by a section of the statute which gave it the power of certification in place of the majority.

Pandit Nehru's amendment was accepted and the resolution

1. Indian Annual Register, 1924.

2. *Speeches and Statements of Quaid-i-Azam*, op. cit., p. 118.

as amended was carried by 76 votes against 48 on February 18 1924. In response to the demand for constitutional advance the Government of India constituted a Reforms Inquiry Committee. It was required "to inquire into the difficulties arising from or defects inherent to the working of the Government of India Act and the Rules thereunder, and to investigate the feasibility and desirability of securing remedies for such difficulties or defects consistent with the structure and policy of the Act." These terms of reference, it is clear, were not as flexible, as the assurances given by the Home Member, Sir Malcolm Hailey, in the Assembly. The personnel of the Committee was as follows: Sir Alexander Muddiman (Chairman), Sir Mohammed Shafi, the Maharajah of Burdwan, Sir Arthur Froom, Sir Henry Moncrieff Smith, Sir Tej Bahadur Sapru, Sir P.S. Sivaswamy Iyer, Mr M.A. Jinnah, and Dr R.P. Paranjpye.

The Committee started its work by the middle of 1924; evidence was collected from all over the country. Among those who gave evidence were Indian Ministers and Executive Councillors who had held or were then holding office in the various provinces. The general trend of the evidence was that the experiment of dyarchy had already taught all that it could be used to teach, that it was impossible to work it satisfactorily, that it was condemned not only by those who had tried to work it but by politicians of all parties due to its failure to fulfil popular expectations, that no mere alterations of Rules and Orders under the 1919 Act could avert increasing difficulty and disorganisation in its administration, and that the time had come for taking up consideration of further developments with a view to providing for increased provincial autonomy and increased responsibility in the Central Government. The Committee could not submit an agreed report. This was a majority report signed by Sir Alexander Muddiman, Sir Arthur Froom, Sir Henry Moncrieff Smith, Sir Mohammed Shafi and the Maharajah of Burdwan, and a minority report signed by Mr M.A. Jinnah, Sir Tej Bahadur Sapru, Sir P.S. Sivaswamy Iyer and Dr R.P. Paranjpye.

The Majority Report contented itself by making certain recommendations which in its opinion would ensure more smooth working of the scheme of dyarchy embodied in the Act. It did not touch the inherent defects of the dyarchical constitution in

regard to the professed purpose of providing a training ground in the working of Parliamentary institutions. The signatories of the Majority Report frankly admitted that it was not possible to afford an 'equally' valuable training towards responsible Government in India "and still to safeguard those conditions upon which Government depends", and they did not see how they could safely go further towards responsible institutions without losing control which they deemed it essential to retain in the hands of the Government, pending further Parliamentary experience. Clearly there was an inherent contradiction in the position taken up by the signatories of the Majority Report.

The Minority Report, signed by Indian leaders representing enlightened public opinion, clearly brought out the defects of the existing constitution as a training ground for responsible administration, the main defect being interdependence of the administration of 'reserved' and 'transferred' subjects and the mutual reactions of policy in regard to them. The Report pointed out that Ministers could not be responsible solely to the legislature, because the Finance Department (a reserved subject) exercised very real control over all expenditure, and because the points of view of popular Ministers and of Executive Councillors, brought up in bureaucratic traditions, frequently differed. Even if joint deliberation between the two sides were enjoined by a Rule it would afford no real advantage, for the responsibility of the Ministers to the Legislative Council would come into conflict with their responsibility as members of a cabinet, whilst the other members of such a Cabinet owed no real responsibility to the Council. The position of Ministers was invidious, for the electors did not understand how any man could serve two masters. The signatories of the Minority Report, while recognising that the Indian Ministers and members of Executive Councils appeared to have been, within the sphere of their Executive duties, equally eager to work the constitution in the same spirit of ressonableness, recorded their conviction that "the present system has failed and in our opinion it is incapable of yielding better results in future".

Referring to the Majority Report's contention that no alternative transitional system had been placed before them the signatories of the Minority Report held that no such alternative

transitional system could be devised which could satisfactorily solve the administrative or political difficulties. They said: "To our mind the proper question to ask is not whether any alternative transitional system can be devised but whether the constitution should not be put on a permanent basis with provisions for automatic progress in the future so as to secure stability in the Government and willing cooperation of the people. We can only express the hope that a serious attempt would be made at an early date to solve the question. That this attempt should be made—whether by the appointment of a Royal Commission with freer terms of reference and larger scope of inquiry than ours or by any other agency—is a question which we earnestly commend to the notice of the Government".[3] As an interim measure the Minority Report recommended, among other things, relaxation of the Secretary of State's control on matters affecting purely Indian interests, joint deliberation between the two halves of the Provincial Governments to be enforced by a change in devolution rules, the Finance Minister not to be incharge of any main spending department, Members and Ministers to be given enhanced powers of reappropriation, abolition of the official bloc in the councils, formulation of a definite scheme of Indianisation of the Army and limitation of the certification powers of the Governor-General. Two years later, i.e. in 1927 the British Government appointed a Statutory Commission to go into the whole question of constitutional reform but since it consisted entirely of members of the British Parliament it met with strong opposition in India.

The other important development related to the question of Indianisation of the Army. On February 18, 1925 Mr. B. Venkatapatiraju moved in the Central Assembly a resolution recommending to the Governor-General-in-Council that "early steps be taken for starting a well-equipped Military College in a suitable locality to train Indians for the commissioned ranks in the Indian Army Service and the necessary amount be sanctioned to start the preliminary work."[4] Similar resolutions had been adopted by the Assembly in 1921 and 1923 with the concurrence of the Government of India. As before, Mr Jinnah, leader of the Independent Party, who was noted for his debating skill and

3. Indian Annual Register, 1925.
4. *Speeches and Statements of Quaid-i-Azam*, op. cit., p. 167.

sound views, made an important contribution to the discussion on this question. He said if they were going to establish an Indian Sandhurst it must be understood that they must have a definite scheme for the purpose of reorganising the army and its future composition, a scheme which would Indianise the army in the course of a reasonable period. He told the Government that the charge against them was that they were not honestly convinced that they should help India to take up her defence. He went on to say: "We have been 150 years under this Government. You have deprived the people of India of arms. What have you done? . . . . .We have got this problem that today the officers in the army, both British and Indian, are Englishmen. Only two or three years ago we were given the concession, as somebody would call it, of holding the King's Commissions, and you started it by sending 10 boys to Sandhurst. That was the first time in the history of British India that you granted the King's Commission to a few. Today the entire army, both Indian and British, is officered by Englishmen. We desire that should be Indianised."[5]

Mr Jinnah strongly urged the Government to appoint a committee with comprehensive terms of reference if they wanted to remove the impression that they were wanting in *bona fides*. He put the issue clearly by emphatically asserting: "If you wish to satisfy public opinion in India on this question and it is the most vital question, the most fundamental one, it is the foundation of future responsible government . . . . . for Heaven's sake at once have a proper body constituted that will inquire into this question fully and thoroughly and let us have an honest and straightforward scheme which will assure the people of India that you honestly desire that Indians should take up the defence of their own country within a reasonable time."[6]

The resolution as finally adopted by the Assembly recommended appointment of a committee including Indian members of the Legislature to investigate and report as to the steps to be taken for establishment of a Military College in India to train Indian officers for the commissioned ranks of the Indian Army, also whether it should supersede or be supplemented by Sandhurst and Woolwich so far as the training of Indian officers was

5. *Speeches*, op. cit., p. 171.
3. Ibid., p. 172.

concerned, and to advise at what rate Indianisation should be accelerated so as to attract Indian youths for a military career. The appointment of the Indian Sandhurst Committee was announced on July 2, 1925, and it consisted of the following members: Lt. Gen. Sir Andrew Skeen (Chairman), Captain J.N. Bannerji, P. Sethna, Sardar Jogendra Singh, Sir Abdul Qaiyum, Mr M.A, Jinnah, Dr Ziauddin Ahmad, Diwan Bahadur Ramchandra Rao, Capt. Hira Singh, Capt. Gul M. Khan, Pandit Motilal Nehru and Mr E. Burdon.

The Committee started its work in August 1925 and collected evidence in India. It later appointed a subcommittee under the leadership of Mr Jinnah which toured through Europe to examine the working of the various military colleges. The Committee submitted its report in 1927. Speaking on a resolution in the Legislative Assembly for giving effect to the recommendations of the Skeen Committee, Mr Jinnah referred to the existence of a certain clique in England which was opposed to the establishment of an Indian Sandhurst. He said that the India office was surrounded by it and the only place that had its atmosphere fouled by this clique was Sandhurst. "At every other place", he said, "we were received and treated with every consideration. I say to the better-minded Europeans who are in this country and to the better-minded Englishmen in Great Britain, if your youths are not willing to co-operate, if they are not willing to work and take their rank according to their merits in this country, tear up the Declaration of August 1917, tear it up now and here and say to the people of India, we are here to rule and nothing else. It was the same old story when the Indian Civil Service was being Indianised, when we were told in this country by many who now sit on the Treasury Benches, 'If you are going to Indianise the Civil Service, we shall render our resignations, we are not going to be your servants.' It was the same story when the Montagu-Chelmsford Reforms were introduced. We were told by many Englishmen that they would leave this country rather than submit to these reforms. But we find we have survived these threats, and I find that the Treasury Benches are full of those gentlemen some of whom probably had threatened to resign, but probably they thought better of it."[7]

7. M. H. Saiyid, op. cit., pp. 246-47.

Eventually an Indian Sandhurst or Military College was established at Dehra Dun. If this step had not been taken it would not have been possible to have properly trained Indians to be the officers the Indian Army, and without Indianisation of the Army responsible government would have remained illusory. The part played by Mr Jinnah in the Skeen Committee was largely instrumental in achieving this essential desideratum. It has to be realised that freedom came as a result of not merely protest meetings and public rallies but prolonged, sustained and constructive efforts in the legislatures.

The Simon Commission

In response to the insistent demands made by political parties and leaders for complete overhaul of the constitutional machinery the British Government at last announced on November 8, 1927 the appointment of a Statutory Commission to inquire into the working of the Government of India Act, 1919 and recommend changes. It was a purely Parliamentary Commission consisting of five members of the House of Commons and two of the House of Lords and was leaded by an eminent jurist, Sir John Simon. The Central Legislative Assembly and the Provincial Assemblies were asked to appoint committees to draw up proposals to be laid before the Commission. If the British Government thought that by taking this step it would be able to assuage Indian feeling and enlist the co-operation of representative Indians it was entirely mistaken. The all white character of the Commission and the plenary powers vested in it constituted an affront to Indian sentiment and provoked strong resentment and protest. No section of independent political opinion was willing to accept the Commission's authority or co-operate with it.

The Congress immediately declared its resolve to boycott the Commission. Political opinion outside the Congress too was against co-operation with it. Mr M.A. Jinnah, who voiced the feelings of the advanced wing of Muslim leadership as well as independent sections in general, circulated a draft manifesto among various prominent leaders requesting them to authorise him to include their names among its signatories if they agreed with its contents. He received powerful support from leaders of the Congress, the Muslim League, the Liberal Federation, the

Federation of Chambers of Commerce and the Millowners Association.

The manifesto issued by Mr Jinnah with the support of a large number of prominent and influential leaders stated *inter-alia*:

> We have given the most anxious consideration to the announcement made in the Houses of Parliament and the statement of His Excellency the Viceroy and the programme for the Statutory Commission. We have come to the deliberate conclusion that the exclusion of Indians from the Commission is fundamentally wrong, and that the proposals about Committees of Legislatures being allowed to submit their views to the Commission and later to confer with the Joint Parliamentary Committee, are wholly inadequate to meet the requirements of the case. The underlying principle of the scheme that Indians are to have no authoritative voice either in the collection of proper materials and evidence and the taking of decisions by way of recommendations of the Commission to Parliament is of such a character that India cannot with any self-respect acquiesce in it. Unless a Commission on which the British and Indian statesmen are invited to sit on equal terms is set up we cannot conscientiously take any part or share in the work of the Commission as at present constituted.[8]

The Secretary of State for India, Lord Birkenhead, in his speech referred to the Statutory Commission as "an exceptionally intelligent jury coming to India with no preconceived prejudice." He averred that the difficulty of finding truly representative Indians had stood in the way of including them in the Commission, and he claimed that the Committee of the Indian Legislature had been invited in a spirit of great sincerity to cooperate as colleagues with the Commission. This was the usual imperialistic line of argument. Mr M. A. Jinnah joined issue with Lord Birkenhead. He said: "If Lord Birkenhead in selecting the personnel of the Commission, had to consider the conflicting schools of thought in England regarding India's advance and had to secure two members of the Tory Party, one member of the Liberal Party, two members of the Labour Party and two representing the blue blood of England, what wonder is there that we may also require a few men to represent a vast country like India?"[9] He strongly

8. M.H. Saiyid, op. cit., p. 249.

criticised the presumption that Indians cannot be allowed to share in the responsibility or in the decisions that are taken concerning the future constitution of India. He posed the question whether "any substantial modifications or amendments could be made in the recommendations of a Commission of the calibre and integrity for which they have received so eloquent a certificate not only from the Secretary of State for India but from all parties in both Houses of Parliament, a Commission . . . who will judge according to the standards known to Parliament and whose recommendations Parliament will consider instinctively their own when they make their report."[10] He asserted that India could participate in this policy and share in the work of the Commission because it was "a complete negation of India's status as a partner" which had been repeatedly acknowledged by the British Statesmen.

The Council of the All-India Muslim League had decided to hold its annual session at Lahore in the last week of December 1927 and had elected Sir Mohammed Shafi to preside over it. After the announcement of appointment of the Statutory Commission it was felt by prominent members of the League Council that Lahore would not be a suitable venue, for a session there was likely to be packed by supporters of the Commission and this would not reflect the public opinion. A meeting of the Muslim League Council was regularly convened by its Secretary, Dr. Saifuddin Kitchlew, at Delhi. It decided to change the venue of the session to a neutral place, Calcutta. The members of the League Council who favoured cooperation with the Commission and were in a minority resented the Council's decision and even characterised it as unconstitutional. They made up their mind to hold the session at Lahore with Sir Mohammad Shafi as President. It was an irregular step for a dissident group had no authority to hold a session anywhere against the decision of the Council of the All-India Muslim League.

Thus it came to pass that two sessions of the Muslim League were held in 1927—one a regular session at Calcutta attended by its office-bearers and the majority of League Council members and the other an irregular session at Lahore held by a dissident

9. M.H. Saiyid, p. 250.
10. Ibid., p. 251.

group. Since the President elect Sir Mohammad Shafi presided over the Lahore meeting, the League Council at Calcutta elected Moulvi Mohammad Yakub of Moradabad (U.P.) to preside over the session. On the question of the Statutory Commission the League session at Calcutta adopted the following resolution: "The All-India Muslim League emphatically declares that the Statutory Commission and the procedure as announced are unacceptable to the people of India. It, therefore, resolves that the Mussalmans throughout the country should have nothing to do with the Commission at any stage or in any form."[11] The resolution was moved by Sir Ali Imam and supported among others by Maulana Mohammad Ali, Maulana Zafar Ali Khan, Malik Barkat Ali and Seth Yakub Hasan.

The League session strongly disapproved of the action of Sir Mohammad Shafi and his colleagues in going against the authority and decision of the League Council to hold the session at Calcutta and attempting to hold another session at Lahore in contravention of the League's constitution. The session resolved to disaffiliate the Punjab Provincial Muslim League and called upon the Muslims of the Punjab to constitute Provincial League truly representative of the Punjab.

The League adopted another resolution on the important question of constitutional safeguards for the Muslims. It stipulated the following provisions to be incorporated in any constitutional scheme that may be adopted by the National Convention which the Congress proposed to hold at Delhi in March 1928: (1) that Sind should be separated from Bombay Presidency and constituted into a separate province; (2) that reforms should be introduced in the North-Western Frontier Province; and in Baluchistan on the same footing as in other provinces; (3) that in the present circumstances the representatives of Muslims in the different Legislatures of the country through separate Muslim electorates is inevitable, and that Muslims will not accept any scheme involving the surrender of this valued right unless and until Sind is actually made a separate province and reforms are actually introduced in the North-West Frontier Province and Baluchistan, and that when these requirements are fully satisfied, Muslims will be

11. *Resolutions of the All-India Muslim League*, op. cit., p. 36.

prepared to abandon separate electorates in favour of joint electorates with reservation of seats fixed on the basis of the population of the different communities subject to the following priviso, namely in Sind, Baluchistan and N.-W.F.P., the Muslim majority should make the same concession in regard to proportion of the seats reserved to the Hindu minority as Hindu majorities in other provinces would make to Muslim minorities over and above the proportion of the population of the Provinces which shall be the minimum basis, and in the Central Legislature the Muslim representation shall not less than one-third.

On the other hand the meeting at Lahore presided over by Sir Mohammad Shafi decided to place the Muslims' case before the Simon Commission and declared the Muslims' resolve to retain separate electorate under all circumstances.

When the question of appointment of a Select Committee came up before the Central Legislative Assembly on February 16, 1928 Lala Lajpat Rai moved a resolution recommending to the Governor-General "to convey to His Majesty's Government the Assembly's entire lack of confidence in the Parliamentary Commission which has been appointed to review the constitution of India."[12] The resolution was supported by Mr M.A. Jinnah as leader of the Independent Party. In the course of a spirited speech he said the difference between them and those who had appointed the Commission was fundamental and not one of details. He referred to the various schools of thought in the country—the petitioners who assured the Government of their loyalty and begged that something might be given to them; another group that thought that this was the occasion when the Mussalmans could reap a wonderful harvest. He asked them to learn a lesson from their experience of the past 150 years. He called upon the Government to realise that the principle for which they were fighting was that "we want for the Indian representatives equal status and equal power." He criticised the device of committees of legislatures which obviously did not have equality of status ond power with the Commission.

Mr Jinnah then quoted the following portion from Lord Birkenhead's speech: "When once the Commission had made its report, it is finished. But its critics remain; and its critics are

12. *Speeches and Statements of Quaid-i-Azam*, op. cit., p. 267.

most formally and especially invited to come and sit with the joint Committee of Parliament and to develop any criticisms or objections that they feel to the report which the Commission has made."[13]According to Lord Birkenhead, "they may similarly allow any other body to appear before them." Mr. Jinnah asked where was the great boon conferred on the delegation of the Indian Legislative Assembly that might proceed to England. It was, he said, a camouflage. He refuted the charge that they had rejected Sir John Simon's offer of so-called collaboration between the Commission and the Indian committees in haste. He emphatically declared: "Let me tell you that there is a larger body in this country than you know. I say that I refuse to accept any commission unless equal status and equal power is given to Indian representatives for the purpose of investigation and inquiry".[14] Mr Jinnah concluded by addressing the Treasury Benches as follows: "If you want decent, self-respecting men to work with you, then be frank, be honest, and tell us plainly, you have not got equal status, you have not got equal power in the present constitution of the Commission and the scheme, but we are ready to give it to you" or say clearly "no". But do not pass off and mislead the unwary and misrepresent us."[15]

Mr Jinnah's Independent Party with a majority of Muslim members held the balance between supporters of the Government and the Opposition parties and the stand taken by him tilted the balance in favour of the resolution. It was passed by a majority of six votes. The result was hailed as a victory for patriotic elements. In the U.P. Legislative Council, it is interesting to recall, the resolution for boycott of the Commission was passed by a majority of only one vote, and that was the vote of the late Mr Liaquat Ali Khan. Thereafter, the Commission's task was doomed to failure. In the course of its countrywide tour it met with hostile demonstrations almost everywhere. It did submit a report in 1930 but Mr. Ramsay MacDonald's Government attached no value to it and preferred to convene a Round Table Conference.

13. Ibid., *Speeches and Statements of Quaid-i-Azam*, op. cit., p. 267.
14. Ibid., p. 273.
15. Ibid., p. 274.

CHAPTER SIX

DELHI MUSLIM PROPOSALS AND NEHRU REPORT

The session of the All-India Muslim League held at Delhi in the last week of December 1926 under the presidentship of Sheikh Abdul Qadir reiterated the demands it had made at its previous session at Aligarh, namely, the existing constitution should be revised so as to place it on a sound and permanent basis with provisions for automatic progress towards establishment of full responsible government, adequate representation of minorities should be secured without reducing the majority in any province to a minority or even equality, representation of communal groups would continue to be by means of separate electorate provided any community could abandon its separate electorate in favour of joint electorate, any territorial redistribution would not in any way affect the Muslim majority in the Punjab, Bengal and N.-W.F.P. and no law would be passed if three-fourth of the community affected opposed it. The League also urged the introduction of reforms in N.-W.F.P. and separation of Sind from Bombay.

In his speech on the resolution Mr Jinnah said the Congress point of view on the position of the Muslims was far from assuring, for no responsible Congress or Hindu leader had come forward with a concrete proposal regarding the future of the Muslim community. He asserted that communalism did exist in the country and it could not be removed by talk nor could nationalism be created by having mixed electorates. He pointed to the history of Canada where the system of separate electorate had not proved an obstacle in the growth of representative government. He said: "We desire nothing else but justice and fairness and I assure you that if we two communities can settle

our differences it will be more than half the work for responsible government done."[1]

Mr Jinnah continued his efforts to bring about a Hindu-Muslim agreement which he sincerely believed was the *sine qua non* to the attainment of full responsible government. Raja Ghazanfar Ali Khan, who as Secretary of the Independent Party in the Central Assembly was close to its leader, Mr Jinnah, has testified in his Memoirs that in a private talk Pandit Motilal Nehru, leader of the Swaraj Party, told Mr Jinnah that if he could persuade the Muslims to accept joint electorate he (Pandit Nehru) undertook to get the Congress to concede all other demands of the Muslims. Anxious as ever to promote a settlement Mr Jinnah took Pandit Motilal Nehru at his word. He called a conference of influential and representative Muslim leaders of different schools of thought at Delhi on 20 March, 1927. It was attended among others by Sir Mohammed Shafi, Sir Mohammed Nawaz, Mian Shah Nawaz, Sahebzada Abdul Qaiyum, Dr M.A. Ansari, Maulana Mohammed Ali, Maharajah of Mahmudabad, Moulvi Shafi Dawoodi, Dr Abdullah Suhrawardy, Mr Anwarul Azim, Mr Abdul Matin Chaudhri, Syed Murtaza Saheb, Sir Ali Imam, Mufti Kifayatullah and Raja Ghazanfar Ali Khan who acted as Secretary to the conference.

After two days' deliberations presided over by Mr Jinnah the conference reached a consensus on the following proposals:

1. Sind should be separated from Bombay and constituted into a separate province.

2. Reforms should be introduced in the N.-W.F. Province and Baluchistan on the same footing as any other province.

3. The Muslims are willing to make to Hindu minorities in Sind, Baluchistan and N.-W.F.P. the same concessions that the Hindu majorities in other provinces are prepared to make to Muslim minorities.

4. In the Punjab and Bengal the proportion of representation should be in accordance with the population.

5. In the Central Legislature Muslim representation should not be less than one-third.

1. M.H. Saiyid, *M.A. Jinnah, A Political Study*, p. 237.

6. Upon acceptance of the above proposals the Muslims would agree to joint electorate.

These proposals were hailed as a great contribution to the solution of the Hindu-Muslim problem and a significant step towards the attainment of self-government. It was regarded as a personal triumph for Mr Jinnah, for as Mr M.C. Chagla, who was then a follower of Mr Jinnah, remarked: "only the magic wand of Jinnah could accomplish the feat." His persuasive advocacy and earnest pleading had convinced the Muslim leaders of different shades of opinion that if Muslim rights and interests could be protected by means of certain safeguards even in a scheme of joint electorate it was not necessary to insist upon the retention of separate electorate. It is clear from the above-mentioned proposals that while the Muslim position was safeguarded in the Muslim majority provinces, it was also possible to strike a balance between the positions of the Hindus and Muslims in the provinces where they were in minority.

The proposals were conceived in a spirit of reciprocity. The Muslims constituted a minority in India taken as a whole, but the distribution of population was such that they were in majority in five provinces whereas the Hindus were in majority in seven provinces. If the Hindu majority offered the Muslims certain concessions like reservation of seats in the legislatures and the services in seven provinces, the Muslims would do the same in the other five provinces. At the Centre the Muslims asked for one-third representation so that they could make their voice felt. The Hindu and Muslim majorities would thus be in a position to satisfy their legitimate aspirations in the provincial field and at the same time they would feel an urge to accord fair treatment to the minorities in the provinces where they had a dominant position. This scheme could be the basis of evolving a polity and a system of Government which in course of time might have led to stability and orderly progress, if worked in a "spirit of reciprocity".

The atmosphere of hope created by the Delhi proposals, however, did not last long. On the Muslim side the reactionary wing of leadership, taking its cue from Mian Sir Fazli Husain

who worked behind the scenes, denounced the proposals as they would not agree to substitution of joint electorate in place of separate electorate under any circumstances and on any conditions. The Hindu extremists also opposed the proposals. Their viewpoint was stated by the influential newspaper *The Hindustan Times* of Delhi. It said that the spirit behind the proposals was, "Heads I win, tails you lose." It thought that there was no connection between the establishment of joint electorate and the separation of Sind and introduction of reforms in N.-W.F.P. and Baluchistan. The whole trend of its argument was that joint electorate had to be established unconditionally. The Hindus were as a matter of course entitled to enjoy a dominant position in the majority of provinces and in India as a whole but the Muslims could not ask for similar rights in areas where they constituted the majority.

The Muslim proposals were, however, welcomed and endorsed by the All-India Congress Committee in May 1927 at Bombay. The annual session of the Indian National Congress held at Madras in December 1927 also passed a resolution on the Hindu-Muslim question more or less on the lines of the Delhi Muslim Proposals. But the subsequent events showed that the same Congress leaders who had welcomed and even accepted the Muslim proposals manoeuvred to get them nullified or so mutilated as to kill the very spirit and purpose which underlay them. The same Pandit Motilal Nehru who had undertaken to get all the Muslim demands accepted if only the Muslims agreed to joint electorate, headed a committee which, under his guidance, produced a constitutional scheme purporting to negative almost every proposal made by the Muslim leaders.

Instead of facing the realities of the situation in India, as Mr Jinnah had repeatedly urged, the Congress leaders adopted a doctrinaire approach to the question of constitutional progress towards full responsible government. They did so for two reasons. They felt that if they couched their constitutional demands in terms borrowed from Western, especially British, constitutional theory and practice, it would appeal to the British leaders and authorities and they would appear progressive and enlightened. At the same time, the demands so formulated and presented

would serve the purpose of relegating the Muslims to the position of permanent subordination and subservience and pave the way for the establishment of Hindu hegemony under cover of "nationalism" and "democracy". But they miscalculated the Muslim mind and sentiment which led to increasing bitterness, animosity and conflict.

Nehru Report

The Delhi Muslim Proposals of March 1927 and their acceptance by the Congress at its Madras session in December 1927 had created a climate for Hindu-Muslim *rapprochement* and raised hopes of constitutional advance. The boycott of the Simon Commission had brought the various progressive elements in India's political life closer together. It was at this stage that the Secretary of State for India, Lord Birkenhead, threw a challenge to Indian political leaders to produce an agreed constitution. There was a feeling among the politicians to take up the challenge. The Muslims had already made a great gesture through the Delhi Muslim Proposals to provide a basis for the evolution of an agreed constitutional scheme.

In these circumstances the Congress Working Committee convened an All-Parties Conference with the object of framing a constitution acceptable to all parties. The Conference met on 12 February, 1928 at Delhi and continued its deliberations till 11 March, 1928. No agreement, however, was reached. The Council of the All-India Muslim League then passed a resolution declaring that the proposals adopted at the All-Parties Conference were not in conformity with the Muslim League's resolutions and regretting that the Hindu Mahasabha had practically rejected the proposals. The League Council appointed a committee to confer with the representatives of other parties and press them to accept the proposals adopted by the League at its Calcutta session of December 1927. After this the Muslim League was not represented by any authorised delegates at subsequent meetings of the All-Parties Conference. The Congress had already receded from the position it had taken at Madras in December 1927 and a fundamental difference had arisen between the League and the Congress.

The next meeting of the All-Parties Conference was held at Bombay on 19 May, 1928 but no Muslim League representatives attended it. The Conference adopted a different course; it appointed a small committee to work out the details of a constitutional scheme on the basis of Dominion Status. The Committee was headed by Pandit Motilal Nehru and its other members were Sir Tej Bahadur Sapru, Mr M.S. Aney, Sardar Mangal Singh, Mr Subbas Chandra Bose, Mr G.R. Pradhan, Mr M.R. Jayakar, Mr N.M. Joshi, Sir Ali Imam and Mr Shoaib Qureshi. The Muslim representation was entirely inadequate and unsatisfactory. The two Muslim members did not possess the qualification or capacity to represent any substantial body of Muslim opinion.

The Committee departed from the basis of *rapprochement* brought about by the resolutions of the Congress at Madras and the Muslim League at Calcutta in 1927. It made light of the demands and aspirations of the Muslims and did not attach any weight to their apprehensions as to their future as a numerically weaker community. The Committee repeated the hackneyed arguments against separate electorates characterising them as "bad for the growth of national spirit," and rejected them outright without conceding the safeguards embodied in the Delhi Muslim Proposals of 1927 on the basis of which the Muslims had expressed willingness to accept joint electorate. It even deprecated reservation of seats for any community under a system of joint electorate which it thought was recognition of communalism. It flatly rejected the Muslim demand for reservation of seats on population basis in Bengal and the Punjab. The Muslims constituted a very small majority in these two provinces, namely 55% in Bengal and 56% in the Punjab. For historical reasons they were educationally backward, economically weak and politically less advanced. Their ratio in population was not reflected in the electoral rolls. They were already under-represented in the Provincial Councils and in the absence of reservation of seats they had a genuine apprehension that their representation would further deteriorate in the future legislatures. The Nehru Committee paid no heed to these valid pleas and no effort was made to meet the Muslim viewpoint.

The only reservation that the Committee conceded was in the case of the small Muslim minorities in Hindu majority provinces and that too strictly on population basis under joint electorate. The "weightage" given to the Muslims in the Lucknow Pact and the Montagu-Chelmsford Reforms was done away with. The Muslim demand for one-third representation in the Central Legislature was also rejected. Here again it recommended reservation of seats for Muslims strictly in proportion to population, i.e. 25 % with the right to contest additional seats. This was a mere eye-wash, for conditions being what they were the Muslims could not hope to win a single open seat under joint electorate.

With regard to the separation of Sind the Nehru Committee adopted a curious attitude. It did not show any disposition to accept unreservedly this genuine demand. It remarked that "Sind has by a strange succession of events become a major problem in our politics."[2] It even found fault with the Muslims that the "demand for separation of Sind was not put forward in the happiest way."[3] It took considerable notice of Hindu objections to the creation of the new province. However, since it could not possibly reject the demand outright, the Committee adopted a circuitous method. It made the following recommendations on the question of separation of Sind:

1. Simultaneously with the establishment of Government in accordance with the Nehru Committee's report, Sind shall be separated from Bombay and constituted into a separate Province, provided after an inquiry it is found:

(*a*) that Sind in financially self-supporting;

(*b*) in the event of its being found that it is not financially self-supporting, on the scheme of separation being laid before the people of Sind with its financial and administrative aspects, the majority of its inhabitants favour the scheme and express their readiness to bear the financial responsibility of the new arrangement;

2. that the form of Government in Sind shall be the same as in the other Provinces under the Constitution;

2. Quoted in A History of Freedom Movement, Vol. III, Part I, p. 388.
3. Ibid.

3. that the non-Muslim minority in Sind shall be given the same privileges in the matter of representation on the Provincial and Central Legislatures as the Muslim minorities are given under the Nehru Committee's Report in areas where they are in a majority.

The Committee's general remarks on the separation of Sind show how it made light of Muslim feelings and interests. It said: "The Muslims being in a minority in India as a whole fear that the majority may harass them and to meet this difficulty they have made a novel suggestion that they should at least dominate in some parts of India. We do not here criticise their demand. It may have some justification in the present communal atmosphere, but we do feel that it has little to do with the premises we started from, unless indeed the best safeguard that one can have is to occupy a position of domination oneself. The Hindus, on the other hand, although in a great majority all over India, are in a minority in Bengal, Punjab, Sind, Baluchistan and N.-W.F. Province. In spite of their all-India majority they are afraid of the Muslims in these provinces."[4]

The Nehru Committee's stand boils down to this—it is a normal and legitimate thing if the Hindus dominate in most provinces and in India as a whole, but if the Muslims wanted to be given the opportunity to exercise majority rights in areas where they constituted the majority it was a "novel suggestion". The Committee showed a tender regard for Hindu fears in Sind by observing: "It must be remembered also that the powers of a Provincial Government are limited and there is the Central Government which has power in all important departments."[5] This was an assurance to the Hindus of Sind that they could always look to the Hindu-dominated Government at the Centre to protect their interests. No such assurance, of course, was available for the Muslim minorities.

Considering the heterogeneous population of India it was considered desirable and necessary not only by the Muslims but by many competent political observers that the best form of government for the country would be federal with a large

4. M.H. Saiyid, op. cit., p. 260. 5. Ibid., p. 261.

measure of autonomy for the provinces. The Nehru Committee turned its face against the federal form. It spoke of "a strong Central authority". It proposed a Central Government having control over all departments and also possessing the residuary powers. All important subjects were assigned to the Centre. Moreover, the Central Laws were to have supremacy over the Provincial laws. Thus, the constitution envisaged by the Nehru Committee not only negatived all Muslim demands and prejudiced their interests but was also designed to establish unmitigated Hindu hegemony over the entire subcontinent. It is an irony that such a constitution was produced by a committee headed by Pandit Motilal Nehru who had solemnly promised Mr Jinnah to get all Muslim demands accepted if the Muslims agreed to joint electorate. Not only he but the Congress went back on its commitment.

An idea of how contemptuously the Hindu leaders treated the demands and interests of the Muslims at that time can be formed from the remarks made by Pandit Motilal Nehru in a letter to Mrs Annie Besant as follow: "The Mussalmans in other provinces where they are in hopeless minorities have so far been fighting for the supposed rights of the Mussalman majorities in the Punjab and Bengal. The most effective answer to them would be that the Punjab and Bengal have accepted the Lucknow resolutions and do not need the other provinces to champion their cause. I hope that answer would be given to them within the next fortnight. All that will then remain to settle the Hindu-Muslim question in the rest of India will, I expect, be easily settled by throwing a few crumbs here and there to the small minorities."[6]

Calcutta Convention

The publication of the Nehru Report caused a great shock to the Muslims. It completely negatived the Delhi Muslim Proposals and it envisaged a centripetal constitution with a simple parliamentary form of government which in the peculiar conditions meant permanent Hindu rule not only in Hindu-majority

6. *A Bunch of Letters*, compiled and published by Pandit Jawaharlal Nehru.

areas but also in Muslim-majority areas. Many voices of protest against the Nehru Report were raised by Muslim organisations and Muslim leaders. Maulana Mohammed Ali and Mr Jinnah happened to be in Europe. In their absence and in the absence of any authorised representatives of the Muslim League the so-called All-Parties Conference met at Lucknow in August 1928 under the presidency of Dr M.A. Ansari. The Conference, despite the protest of some Muslim leaders attending it, adopted the "principle" of the constitution recommended by the Nehru Committee. It enlarged the Committee and directed it to prepare a constitution bill to be placed before a convention of various political parties and organisations at Calcutta in December 1928.

On his return from Europe in October 1928 Mr Jinnah adopted a cautious attitude. He did not immediately denounce the Nehru Report, for he still entertained the hope that through negotiations it might be possible to secure some changes in the Nehru scheme with a view to satisfying the Muslim demands. In a press statement he said: "Judging by the Nehru Report and newspaper reports of the Lucknow Conference it seems that they have made a serious effort to meet the Delhi Muslim Proposals of March 1927. My position as President of the All-India Muslim League is one which does not permit me to anticipate the decisions of the League. The Congress as usual and the League will be meeting in December next and I am hopeful that we will yet find solution of this critical question. I would, in the meanwhile, appeal to all those who do not agree with the Lucknow proposals not to rebel but to keep calm and organise themselves with a view to pressing their point of view. I would particularly appeal to the Muslims not to be alarmed. I see no reason for consternation and stampede. Muslims should organise themselves, stand united and press every reasonable point for the protection of their community."[7] This statement shows the conciliatory spirit in which Mr Jinnah was approaching the scheme recommended by the Nehru Committee.

The annual session of the All-India Muslim League was held at Calcutta in December 1928 under the presidentship of

7. M.H. Saiyid, op. cit., pp. 263-4.

Maharajah Ali Mohammed Khan of Mahmudabad. The League had received an invitation to send delegates to attend the All-Parties Convention which had been called by the Congress at the same time and place. It resolved to send representatives to the Convention with instructions "to take into careful consideration and attach due weight to the views on the communal question expressed in the Subjects Committee and the open session of the League and will endeavour to bring about an adjustment of the various outstanding questions between Hindus and Mussalmans arising out of the Nehru Report," and to report back to the League session. The following were the League representatives: 1. Maharajah of Mahmudabad, 2. Mr M.A. Jinnah, 3. Dr. Saifuddin Kitchlew, 4. Mr M.C. Chagla, 5. Malik Barkat Ali, 6. Moulvi Abdul Hamid, 7. Moulvi Mujibur Rahman, 8. Dr Syed Mahmud, 9. Moulvi Hissamuddin, 10. Maulana Mohammed Akram Khan, 11. Maulana Zafar Ali Khan, 12. Seth Yakub Hasan, 13. Ghazi Abdur Rahman, 14. Syed Abdullah Barelvi, 15. Mr Tasadduq Ahmad Khan Sherwani, 16. Choudhri Khaliquzzaman, 17. Nawabzada Liaquat Ali Khan, 18. Moulvi Mazhar Ali, 19. Shah Mohammed Zubair, 20. Moulvi Abdul Karim, 21. Moulvi Mohammed Aslam, 22. Moulvi Azizul Haq, 23. Moulvi Faiznoor Ali. Mr Jinnah was leader and spokesman of the delegation.

Speaking on behalf of the League at the All-Parties Convention, Mr Jinnah proposed the following amendments to the scheme embodied in the Nehru Report: (1) Muslim representation in the Central Legislature should be one-third of the total number of seats; (2) in the Punjab and Bengal seats should be reserved on population basis; (3) the form of the constitution should be federal with residuary powers vested in the provinces and the schedule of Central and Provincial subjects should be revised; and (4) separation of Sind from Bombay and introduction of reforms in N.-W.F.P. and Baluchistan should not be dependent on establishment of government according to the Nehru Committee's constitutional scheme.

In the course of his speech Mr Jinnah emphasised that it was absolutely essential to their progress that Hindu-Muslim settlement should be reached and that all communities should live

in a friendly and harmonious spirit. He observed: "No country has succeeded in either wresting a democratic constitution from a domination of another nation or establishing representative institutions from within without giving guarantees for the security of the minorities wherever such a problem has arisen. Majorities are apt to be oppressive and tyrannical and minorities always dread and fear that their interests and rights, unless clearly and definitely safeguarded by statutory provisions, would suffer and be prejudiced, but this apprehension is enhanced all the more when we have to deal with communal majority."[8] He earnestly pleaded for the acceptance of his amendments which were fair and reasonable.

The Liberal Hindu leader Sir Tej Bahadur Sapru expressed himself in favour of acceptance of Mr Jinnah's amendments. He said that at that time Muslim representation at the Centre was 27% and there was no reason why the Muslim demand for 33% should be resisted. He had known Mr Jinnah intimately for fifteen years and "if he was a spoilt child, I am prepared to say, give him what he wants and be finished with it. I am going to ask him to be reasonable but we must, as practical statesmen, try to solve the problem and not be misled by arithmetical figures."[9]

But the real Hindu attitude was demonstrated by Mr M.R. Jayakar, the Hindu Mahasabha leader from Bombay. He struck a discordant note. He said that he had great difficulty in restraining his Mahasabha friends of Bombay from openly rebelling against the Nehru Report and if the clauses were amended as proposed by Mr Jinnah, it would be impossible for him to persuade his friends to refrain from once more urging "their violent and arrogant claims". He said that the Report was already accepted by many organisations and if these amended clauses were incorporated there was a chance of its being rejected. He believed that Mr Jinnah was far too patriotic to break away from the Convention even if his demands were rejected.

In his reply to the debate Mr Jinnah passionately and

8 M. Rafique Afzal, Ed., *Selected Speeches and Statements of Quaid-i-Azam*, p. 289.

9. M.H. Saiyid, op. cit., pp. 271-2.

eloquently pleaded for a broadened vision and a more sympathetic outlook on the part of the Convention. Referring to Sir Tej Bahadur's remark about his being a "spoilt child" Mr Jinnah said he understood the spirit in which the remark was made but he asserted others had put a childish interpretation upon it. He then observed: "Every country struggling for freedom and desirous of establishing a democratic system of Government has had to face the problem of minorities wherever they existed and no constitution, however idealistic it may be and however perfect from theoretical point of view it may seem, will ever receive the support of the minorities unless they can feel that they, as an entity, are secured under the proposed constitution and government and whether a constitution will succeed or not must necessarily depend as a matter of acid test whether the minorities are in fact secure. Otherwise no paper constitution will last but result in a revolution and civil war."[10]

Mr Jinnah cited the example of other countries where the question of minorities had been settled. He said: "Look at the constitutional history of Canada and Egypt. The minorities are always afraid of majorities. The majorities are apt to be tyrannical and oppressive, and particularly religious majorities and the minorities, therefore, have a right to be absolutely secured. Was the adjustment between French Canadians and British arrived at on population basis or on the ground of pure equity? Was the adjustment between the Copts, Christians and Mussalmans in Egypt regulated by such considertions? We are dealing with politics. We are not in a Court of Law and, therefore, it is no use resorting to hair-splitting and petty squabbles. These are big questions and they can be settled only by the exercise of the highest order of statesmanship and political wisdom."[11] Mr Jinnah concluded by making a fervent appeal as follows: "Believe me, there is no progress for India until the Mussalmans and Hindus are united and let no logic, philosophy or squabble stand in the way of our coming to a compromise and nothing will make me more happy than to see the Hindu-Muslim Union."[12]

10. M. Rafique Afzal, op. cit., p. 294.
11. Ibid., p. 295.
12. Ibid., p. 295.

The Hindu leaders including those of the Congress, who dominated the Convention, turned a deaf ear to Mr. Jinnah's cogent reasoning and earnest pleas. They betrayed a woeful lack of the spirit of compromise and accommodation. All amendments proposed by Mr Jinnah were unceremoniously rejected. Maulana Mohammed Ali, an ex-President of the Congress, who spoke in support of Mr Jinnah's amendment, was even hooted. The Muslim delegates returned from the Convention sad and disheartened and reported their failure to the League session which was adjourned to meet again in March 1929. Thus one of the most sincere efforts to bring about a settlement of the Hindu-Muslim questions and forgo Hindu-Muslim understanding and co-operation was defeated by sheer obduracy on the part of the Hindu majority. Mr Jinnah whose disappointment in particular was immense called it the parting of the ways, and so it proved. The Congress and Hindu leaders had made a doctrinaire approach to the question of minorities, because it suited their design of establishing Hindu rule. They would not look at the modest proposals made by Mr Jinnah. Their instransigence, however, gave rise to forces in later years which made it impossible for them to realise their ambition.

CHAPTER SEVEN

THE ALL-PARTIES MUSLIM CONFERENCE AND THE FOURTEEN POINTS

The callous attitude adopted by the Congress and other Hindu leaders in regard to Muslim demands at the Calcutta Convention evoked sharp reactions in Muslim India. Even "Nationalist" leaders were deeply dismayed. Mr M.C. Chagla of Bombay who had strongly pleaded at the Muslim League session to send League delegates to the All-Parties Convention said in a statement that the Convention, instead of giving sympathetic consideration to the Muslim demands, yielded to the threats of the Hindu Mahasabha. He pointed out that the majority of the League representatives were supporters of the Nehru Report. "If the Convention is unable to settle even with these 23 elected representatives," Mr Chagla asserted, "it should be understood that the Convention does not have the ability to settle with any Mussalman of India and if this attitude were adopted by branding these 23 representatives as communalists, then it should be understood that there is not a single Muslim nationalist in India."[1]

Maulana Mohammad Ali, an ex-President of the Congress who had worked sincerely for Hindu-Muslim unity, in a characteristic parody of the words used by street-criers in the days of East India Company rule, remarked that the street-criers would use the following words in announcing orders of the government established under the Nehru Report: "Khalaq Khuda Ki, Mulk British Ka, Hukum Mahasabha Bahadur Ka" (The people belong to God, the country belongs to the British; the order is from the Mahasabha Bahadur).

1. Mohammed Amin Zuberi, *Sivasat-i-Milliya*, p. 233.

Those sections of Muslim leadership who were entirely opposed to the very basis of the Nehru Report—and they represented at that time the mood of the majority of the Muslims—convened an All-Parties Muslim Conference at Delhi on 10 January 1929 under the presidentship of the Agha Khan. It was largely attended by leaders of the Khilafat Committee, the Jamiat-ul-Ulema, the Shafi group and other bodies, but the All-India Muslim League was not officially represented at the Conference. The Conference adopted a comprehensive resolution moved by Sir Mohammad Shafi and supported among others by Dr Sir Mohammad Iqbal, Maulana Shafi Dawoodi, Sir Mohammad Yakub, Maulana Mohammad Ali and Mufti Kifaetullah.

The resolution stated:

Whereas, in view of India's vast extent and its ethnological, linguistic, administrative and geographical or territorial divisions, the only form of Government suitable to Indian conditions is a federal system with complete autonomy and residuary powers vested in the constituent States, the Central Government having control only of such matters of common interest as may be specifically entrusted to it by the Constitution;

And whereas it is essential that no Bill, resolution, motion or amendment regarding intercommunal matters be moved, discussed or passed by any legislature, central or provincial, if a three-fourth majority of the members of either the Hindu or the Muslim community affected thereby in that legislature oppose the introduction, discussion or passing of such bill, resolution, motion or amendment;

And whereas the right of Muslims to elect their representatives on the various Indian Legislatures through separate electorates is now the law of the land and Muslims cannot be deprived of that right without their consent;

And whereas in the conditions existing at present in India and so long as those conditions continue to exist, representation in various Legislatures and other statutory self-governing bodies of Muslims through their own separate electorates is essential in order to bring into existence a really respresentative democratic Government;

And whereas as long as Mussalmans are not satisfied that their rights and interests are adequately safeguarded in the constitution, they will in no way consent to the establishment of joint electorates, whether with or without conditions;

And whereas, for the purposes aforesaid, it is essential that

Mussalmans should have their due share in the central and provincial cabinets;

And whereas it is essential that representation of Mussalmans in the various legislatures and other statutory self-governing bodies should be based on a plan whereby the Muslim majority in those provinces where Mussalmans constitute a majority of population shall in no way be affected and in the provinces in which Mussalmans constitute a minority they shall have a representation in no case less than that enjoyed by them under the existing law;

And whereas representative Muslim gatherings in all provinces in India have unanimously resolved that with a view to provide adequate safeguards for the protection of Muslim interests in India as a whole, Mussalmans should have the right of 33 per cent representation in the Central Legislature and this Conference entirely endorses that demand;

And whereas on ethnological, linguistic, geographical and administrative grounds the province of Sind has no affinity whatever with the rest of the Bombay presidency and its unconditional constitution into a separate province, possessing its own separate legislative and administrative machinery on the same lines as in other provinces of India is essential in the interests of its people, the Hindu minority in Sind being given adequate and effective representation in excess of their proportion in the population, as may be given to Mussalmans in provinces in which they constitute a minority of population;

And whereas the introduction of constitutional reforms in the N.-W.F. Province and Baluchistan along such lines as may be adopted in other provinces of India is essential not only in the interests of those provinces but also of the constitutional advance of India as a whole, the Hindu minorities in those provinces being given adequate and effective representation in excess of their proportion in population, as is given to the Muslim community in provinces in which it constitutes a minority of the population;

And whereas it is essential in the interests of Indian administration that provision should be made in the constitution giving Muslims their adequate share along with other Indians in all services of the State and in all statutory self-governing bodies, having due regard to the requirements of efficiency;

And whereas, having regard to the political conditions obtaining in India it is essential that the Indian Constitution should embody adequate safeguards for protection and promotion

of Muslim education, languages, religion, personal law and Muslim charitable institutions, and for their due share in grants-in-aid;

And whereas it is essential that the constitution should provide that no change in the Indian Constitution shall, after its inauguration, be made by the Central Legislature except with the concurrence of all the States constituting the Indian federation;

This Conference emphatically declares that no constitution, by whomsoever proposed or devised, will be acceptable to Indian Mussalmans unless it conforms with the principles embodied in this resolution.

The situation arising out of the proceedings of the Calcutta Convention led to the various Muslim parties coming closer together on the basic issues affecting the future of the Muslims. The resolution passed by the All-Parties Muslim Conference generally followed the lines of the resolutions adopted by the Muslim League from time to time. The adjourned session of the Muslim League was reconvened at Delhi in the last week of March 1929. It was largely attended by leaders of different schools of thought. Mr Jinnah was trying to bring about a consensus of opinion among various groups. He was holding consultations at the house of Hakim Jamil Khan. In the meantime the Congressite leaders who had mustered strong made a crude attempt to capture the dais in the hall where the members and delegates had assembled and get a resolution passed in favour of the Nehru Report. Mr Yusuf Imam proposed and Mr Tasadduq Ahmad Khan Sherwani seconded the name of Dr Alam to preside over the meeting. Dr Alam hurriedly occupied the chair and called upon Ghazi Abdur Rahman to move the resolution for acceptance of the Nehru Report, and declared it passed without putting it to vote. The vast majority of the audience protested and there was pandemonium. Just at this moment Mr Jinnah arrived. So great was his prestige that there was pin-drop silence as soon as he entered the hall. Mr Jinnah strongly reprimanded those who had adopted disorderly tactics, declared the proceedings null and void and in view of the disturbed situation, adjourned the session.

In consultation with leaders of various groups Mr Jinnah had drafted a resolution which represented a broad consensus. It was to be placed before the League session if it had continued. However, the terms of the resolution were published and were welcomed and supported by the Muslim public throughout the subcontinent, barring the handful of diehard Muslim Congressites, like Mr Asif Ali, Mr Tasadduq Ahmad Khan Sherwani, Dr Syed Mahmud, Mr Khaliquzzaman, Mr Rafi Ahmad Kidwai, Maulana Abul Kalam Azad and Dr Alam.

The draft of resolution was as follows:

The League after anxious and careful consideration most earnestly and emphatically lays down that no scheme for the future constitution of the Government of India will be acceptable to Mussalmans of India until and unless the following basic principles are given effect to and provisions are embodied therein to safeguard their rights and interests:

(1) The form of the future constitution should be federal, with the residuary powers vested in the provinces.

(2) A uniform measure of autonomy shall be granted to all provinces.

(3) All legislatures in the country and other elected bodies shall be constituted on the definite principle of adequate and effective representation of minorities in every Province without reducing the majority in any Province to a minority or even equality.

(4) In the Central Legislature, Mussalman representation shall not be less than one-third.

(5) Representation of communal groups shall continue to be by means of separate electorates as at present, provided it shall be open to any community, at any time, to abandon its separate electorate in favour of joint electorate.

(6) Any territorial redistribution that might at any time be necessary shall not, in any way, affect the Muslim majority in the Punjab, Bengal and N.-W.F. Province.

(7) Full religious liberty, i.e. liberty of belief, worship and observance, propaganda, association and education, shall be guaranteed to all communities.

(8) No bill or resolution or any part thereof shall be passed in any legislature or any other elected body if three-fourth of the members of any community in that particular body oppose such a bill, resolution or part thereof on the ground that it would be injurious to the interests of that community or, in the alternative, such other method is devised as may be found feasible and practicable to deal with such cases.

(9) Sind should be separated from the Bombay Presidency.

(10) Reforms should be introduced in the N.-W.F. Province and Baluchistan on the same footing as in other provinces.

(11) Provision should be made in the constitution giving Muslims an adequate share along with the other Indians, in all the services of the State and in local self-governing bodies having due regard to the requirements of efficiency.

(12) The constitution should embody adequate safeguards for the protection of Muslim culture and for the protection and promotion of Muslim education, language, religion, personal laws and Muslim charitable institutions and for their due share in the grants-in-aid given by the State and by local self-governing bodies.

(13) No cabinet, either Central or Provincial, should be formed without there being a proportion of at least one-third Muslim Ministers.

(14) No change shall be made in the constitution by the Central Legislature except with the concurrence of the States constituting the Indian Federation.

The resolution came to be known as Fourteen Points. They represented Mr Jinnah's brilliant political acumen and his flair for presenting political ideas and propositions in precise and specific terms. The bulk of the Muslims took their stand on these points and for the next five years they formed the basis of negotiations between the Muslims on the one hand and the non-Muslim parties and the British Government on the other.

CHAPTER EIGHT

VICEROY'S POLICY STATEMENT AND ROUND TABLE CONFERENCE

There was a general election to Parliament in England in May 1929 as a result of which the Labour Party came into power replacing the Conservative Government. Mr Ramsay MacDonald, leader of the Labour Party, who formed the government was known to be sympathetic to Indian aspirations for self-government. He and his Cabinet did not attach much importance to the Simon Commission. The demand for clarification of British policy on the question of Dominion Status for India had become insistent.

The last official pronouncement on the question was Mr Montagu's declaration of 1917 which had spoken of "responsible government" being the goal of British policy. But serious doubts had been created in Indian minds by the statements of some British spokesmen which sought to make out that responsible government did not necessarily mean full Dominion Self-Government. For instance, the then Home Member of the Government of India, Sir Malcolm Hailey, speaking in the Indian Legislative Assembly in 1924, observed: "If you analyse the term 'full dominion self-government' you will see that it is of somewhat wider extent conveying that not only will the Executive be responsible to the Legislature but the Legislature will in itself have the full powers which are typical of the modern Dominion. It may be there is some difference of substance because responsible Government is not necessarily incompatible with a legislature with limited or restricted powers. It may be that full Dominion Self-Government is the logical outcome of responsible

Government, nay, it may be the inevitable and historical development of responsible Government, but it is a further and a final step."

Mr Jinnah wrote a very important personal letter, dated 19 June 1929, to Mr Ramsay MacDonald, pleading India's cause and emphasising the need for taking some concrete steps towards establishment of full self-government. He recalled his conversation with Mr MacDonald in the previous year and then proceeded to explain the situation obtaining in India and made it clear that it would be useless to wait for the Simon Commission's report, for Indian opinion would have nothing to do with it. "India has lost her faith in the word of Great Britain," said Mr Jinnah and asked Mr. MacDonald "to consider how best to restore that faith and revive the confidence of India in the 'bona fides' of Great Britain."[2] As a first step in this connection, Mr Jinnah urged the Premier "to persuade His Majesty's Government without delay to make a declaration that Great Britain is unequivocally pledged to the policy of granting to India full responsible government with Dominion Status"[3] and added that such a declaration would have a far-reaching effect and create a different atmosphere in the country. He, however, emphasised that "actions are held more powerful than words".

Mr Jinnah then suggested a solution of the problem which "would most probably be acceptable to India". He said: "His Majesty's Government before they formulate their proposals and after they are in receipt of the Simon Commission Report and the views of the Government of India, and so, before they formulate their proposals, should invite representatives of India, who would be in a position to deliver the goods (because completely unanimous opinion in India is not possible at present), to sit in conference with them with a view to reaching a solution which might carry, to use the words of the Viceroy, the 'willing assent of the political India.' If such an invitation comes directly from the Prime Minister on behalf of His Majesty's Government, I feel

1. M. Rafique Afzal, *Selected Speeches and Statesments of the Quaid-i-Azam*, p. 309.

2. Ibid., p. 308.

3. Ibid., p. 310.

that it will be irresistible, and if such a conference is held with men who are in the front and foremost rank of political India, I am not unhopeful that a solution may be reached satisfactory to Great Britain and India."[4]

In the same month, June 1929, the Viceroy Lord Irwin proceeded to England on four months' leave, and on the eve of his departure, he said, he was going "to devise some means whereby the constitutional question might be clarified and greater degree of co-operation obtained from all sections of Indian political opinion before Parliament was asked to pronounce upon whatever scheme of Reforms might be laid before it as a result of the statutory inquiry."[5] On return from England Lord Irwin made an important pronouncement on 31 October 1929 outlining the aims of British policy regarding constitutional advance in India. It stated *inter alia*: "The goal of British policy was stated in the declaration of August 1917 to be that of providing for the gradual development of self-governing institutions, with a view to the progressive realisation of responsible Government in India as an integral part of the British Empire. As I recently pointed out, my own Instrument of Instruction from the King-Emperor expressly states that it is His Majesty's will and pleasure that the plans laid by Parliament in 1919 should be the means by which British India may attain its due place among his Dominions. Ministers of the Crown, moreover, have more than once publicly declared that it is the desire of the British Government that India should, in the fullness of time, take her place in the Empire in equal partnership with the Dominions. But in view of the doubts which have been expressed both in Great Britain and India regarding the interpretation to be placed on the intentions of the British Government in enacting the Statute of 1919, I am authorised on behalf of his Majesty's Government to state clearly that in their judgment it is implicit in the declaration of 1917 that the natural issue of India's constitutional progress, as there contemplated, is the attainment of Dominion status."[6]

4. Ibid., pp. 310-1.
5. M.H. Saiyid, op. cit., p. 281.
6. C. H. Philips, op. cit., pp. 286-7.

With regard to the procedure to be adopted for the implementation of the policy, the Viceroy said that after the Simon Commission had submitted its report and after it had been considered by His Majesty's Government they would propose "to invite representatives of different parties and interests in British India and representatives of the Indian States to meet them, separately or together as circumstances may demand, for purpose of conference and discussion in regard both to the British-India and the All-India problems. It will be their earnest hope that by this means it may subsequently prove possible on these grave issues to submit proposals to Parliament which may command a wide measure of general assent."[7]

This declaration was in line with the suggestion made by Mr Jinnah in his letter to Mr Ramsay MacDonald. It aroused a great deal of interest in India. The leaders who agreed with Mr Jinnah's point of view gathered at Bombay. In a statement they expressed satisfaction with the declaration that the natural issue of Indian constitutional progress was the attainment by Dominion Status and said: "We appreciate the fundamental change of procedure whereby the representatives of India will be invited to meet his Majesty's Government in conference for the purpose of arriving at the greatest possible measure of agreement regarding the proposals to be submitted to Parliament for the attainment of Dominion Status by India and thereby reaching a solution which might carry the willing assent of political India."[8] The Congress leaders, however, took a different stand. As was their wont, they laid down certain pre-conditions for their co-operation—first, release of political prisoners; second, Congress to have predominant representation in the conference; third, all discussions to be on the basis of full Dominion Status for India; in India government should thenceforth be conducted in practice on the basis of the principles of Dominion Status as far as possible. Mr Jinnah wrote a letter to Pandit Motilal Nehru, leader of the Swaraj Party, requesting him not to insist on pre-conditions but place their demands at the Conference itself.

The demands made by the Congress leaders raised funda-

7. Ibid., p. 287. 8. Ibid., p. 292.

mental issues which had to be decided before the principle of completely responsible government could be conceded. For instance, should all powers be transferred to a Central Legislature and should it be empowered to delegate such functions and subjects as it desired to the provinces (as suggested by the Nehru Report); or should there be clear demarcation between the spheres and powers of the Centre and the Provinces, as the Muslims demanded? In any case, the important question to be decided was the composition and structure of the legislatures and the representation of various communities and interests therein. Unless these and other related matters were decided by agreement between the parties affected, a guarantee for the grant of Dominion Status could not possibly be given.

The Viceroy in his anxiety to enlist the co-operation of representative Indian leaders invited Mr Gandhi, Mr Jinnah, Pandit Motilal Nehru, Mr Vithhalbhai Patel and Sir Tej Bahadar Sapru to meet him for consultation on 23 December 1929. Lord Irwin was to return that day from tour. As his train approached New Delhi there was a bomb explosion on the railway track but his compartment remained undamaged and he had a providential escape. However, he received the leaders as scheduled. Except for Mr Gandhi and Pandit Motilal Nehru the other leaders arrived in high spirits. They were, however, to experience a shock and a disappointment at the meeting with the Viceroy. Mr Gandhi and Pandit Motilal Nehru took the position that, unless there was a prior acceptance of their demands, they could not discuss any other matter regarding the proposed Conference. No persuasion or explanation by the Viceroy that he could not bind His Majesty's Government beforehand had any effect on Mr Gandhi or Pandit Motilal Nehru. The meeting broke up. All other parties including the Muslim League accepted the British Government's offer of a Round Table Conference. But the Congress which met for its annual session at Lahore on 1 January 1930 declared the resolution passed in favour of Nehru Report in 1928 to have lapsed, adopted complete independence or Purna Swaraj as its goal and also authorised its All-India Committee to launch civil disobedience movement when it deemed fit. The course chosen by the Congress clearly showed that it did not believe in evolving a plan for constitutional

advance by means of mutual discussion and consultation but sought to impose its will and dictates on all and sundry and that it had given the go-by to the policy of promoting a Hindu-Muslim agreement which it had previously regarded as the *sine qua non* to the attainmnnt of freedom.

The Round Table Conference

While all other political parties were getting ready to participate in the Round Table Conference which the British Government proposed to hold for the purpose of constitutional advance, the Congress Working Committee adopted a contrary course. In pursuance of the decision taken at Lahore, the Congress withdrew its representatives from the Central and Provincial Assemblies and resolved to start a civil disobedience movement under the direction of Mr Gandhi. He wrote a letter to the Viceroy on 2 March 1930 containing a long list of grievances and charges against the British authorities and called upon him to meet the Congress demands by 11th March failing which he would launch civil disobedience. The Viceroy sent a short reply regretting that Mr Gandhi contemplated a course of action which would violate law and order and endanger peace. Mr Gandhi selected a particular law relating to prohibition of manufacture of salt by private individuals for purposes of starting his movement.

With his flair for fanfare and publicity, Mr Gandhi started marching on foot from his Sabarmati Ashram to Dandi, a place on the sea-coast, on 5 April. He and his followers committed symbolic breach of law by manufacturing salt from sea-water. His programme also included raid by the Congress volunteers on salt factories and depots. For more than a month, however, Government did not oblige him by arresting him. He felt embarrassed, for lack of action on the part of Government did not serve his purpose. The state of suspense was ended on 5 May when Mr Gandhi was arrested. This was followed by the arrest of other Congress leaders one after the other. The programme was extended to boycott of schools and colleges which were picketed by Congress volunteers. A notable feature of the situation arising out of the movement was that the Muslims as a body held aloof from it.

The Muslim attitude was aptly summed up by Maulana Mohammad Ali in a speech at Bombay. He was an ex-President of the Congress and had done more to strengthen the Congress organisation with his services and sacrifices than any Hindu leader. After the Calcutta Convention held by the Congress in 1928, he had become thoroughly disillusioned and disgusted with the Congress on account of its attitude on the Hindu-Muslim question. Explaining the reasons for Muslims' abstention from the Congress civil disobedience movement, Maulana Mohammad Ali said: "Mr. Gandhi is working under the influence of the communalist Hindu Mahasabha. He is fighting for the supremacy of Hinduism and the submmercion of Muslims. He has never consulted the Muslim community on the question of starting civil disobedience movement. We have not broken any pledge, pact or treaty. We are not traitors of India. The Mussalmans have been oppressed and persecuted by the excesses of the Hindu majority in the last ten years, but Mr. Gandhi never tried to improve matters or condemn Hindu terrorism against the Muslims. He never denounced the movements of Shuddhi and Sanghtan which openly and clearly aimed at annihilation of Muslims and Islam in India. He repudiated and broke the Madras Hindu-Muslim agreement. Now we have no option but to follow the Quranic teaching, namely, 'If you fear treachery and pledge-breaking from any community then throw her treaty on her face. Allah does not approve the action of traitors and pledge-breakers.'"[9]

The British Government went ahead with its plans for holding the Round Table Conference. It nominated a delegation of 72 Indian delegates including 16 Muslims and 16 representatives of the Indian Princely States. The Muslim delegates were His Highness the Agha Khan, Mr M.A. Jinnah, Maulana Mohammad Ali, Sir Shah Nawaz, Nawab Ahmad Said Khan of Chhattari, Raja Shere Mohammad Khan of Domeli, Mr A.K. Fazlul Haq, Sir A.K. Ghaznavi, Sir Ghulam Husain Hidayetullah, Hafiz Hidayet Husain, Sahebzada Sir Abdul Qaiyum, Sir Syed Sultan Ahmad, Mian Sir Mohammad Shafi, Dr Shafaat Ahmad Khan, Chaudhri

9. Jamil-ud-Din Ahmad, *Speeches and Writing of Mr Jinnah*, Vol. I, p. 461.

Zafarullah Khan and Begum Shah Nawaz. Prominent among the Hindu delegates were Rt. Hon. Srinivasa Shastri, Sir Tej Bahadur Sapru, Sir C.P. Ramaswami Aiyer, Sir Chimanlal Setalvad, Mr M.R. Jayakar, Dewan Bahadur Ramaswami Mudaliar, Dr B.R. Ambedkar and Mrs Subbaroyan. The Parsi delegates were Sir Phiroze Sethna, Sir Cowasji Jehangir and Sir H.P. Mody. The Princely Order was represented among others by the Rulers of Baroda, Bikaner, Patiala, Bhopal, Kashmir, Rewa and Jamnagar. The British delegates included the Prime Minister, Mr Ramsay MacDonald, the Lord Chancellor Lord Sankey, the Secretary of State for India, Mr Wedgewood Benn, Sir Samuel Hoare, Lord Reading and Lord Peel.

To add colour and solemnity to the Confrence its inaugural session was held on 12 November 1930 in the House of Lords and addressed by King George V. In the course of his speech the King said: "I shall follow the course of your proceedings with the closest and most sympathetic interest, not indeed without anxiety but with a greater confidence. The material conditions which surround the lives of my subjects in India affect me nearly, and will be ever present in my thoughts during your forthcoming deliberations. I have also in mind the just claims of majorities and minorities, of men and women, of town-dwellers and tillers of the soil, of landlords and tenants, of the strong and the weak, of the rich and the poor, of the races, castes, and creeds of which the body politic is composed. For these things, I care deeply. I cannot doubt that the true foundation of self-government is in their recognition and fulfilment. It is my hope that the future government of India based on its foundation will give expression to her honourable aspirations."[10]

The King's address was followed by eloquent speeches by the delegates. The later sittings were held under the chairmanship of the Prime Minister, Mr MacDonald, in St James's Palace. In his opening speech the Prime Minister remarked: "We must now begin our labours. Things have been said in the past, whether in anger, in blindness or mischief, which we had better forget at this table. Whatever be the story that is to be written at this conference, be assured a story will be written. Let us

10. *The Memoirs of the Agha Khan*, p. 215.

strive to make it worthy of the best political genius of our peoples and to add it to the respect paid by the world to both our nations."[11] The King's address and the Prime Minister's remarks created the impression that the British Government probably meant business.

Two notable speeches on behalf of the Muslim delegation were those delivered by Mr M.A. Jinnah and Maulana Mohammad Ali. Reciprocating the sentiments expressed by the Prime Minister, Mr Jinnah in the course of his speech made the following pertinent remarks which were applauded by the Indian delegates: "India expects translation and fulfilment of these declarations (regarding dominion status) into action. . . . I hope that all parties and interests and communities concerned will bring to bear upon the task before us all the assurances of mutual trust, practical sagacity and statesmanship which they can command. . . . I am glad we are here to witness the birth of a new Dominion of India."[12]

Maulana Mohammad Ali delivered a thrilling and dramatic speech. He was an ailing man and spoke from his seat. It was his swan song for he died shortly afterwards. As was his wont he interspersed his speech with interesting anecdotes and personal reminiscences. After relating how he, a "rebel," had been persuaded by that "tall thin Christian," as he called the Viceroy Lord Irwin, Maulana Mohammad Ali recalled Burke's words "Men and not measures" and said all would be well if they had got one real man in England 'who can rule and dare not lie "and he hoped that his old friend, Mr MacDonald would prove to be such a man. He then made the dramatic declaration that the one purpose for which he had come despite his ill-health and ailments is that "I want to go back to my country if I can go back with the substance of freedom in my hand. Otherwise, I will not go back to a slave country. I would even prefer to die in a foreign country so long as it is a free country and if you do not give us freedom in India you will have to give me a grave here."[13] He decried the Simon Commission's Report as a most disappointing

11. *Indian Round Table Conference Proceedings*, 1931.
12. Ibid.
13. Afzal Iqbal, *Select Writings and Speeches of Maulana Mohamed Ali*, p. 460.

document and said the best thing they could do was to create their own "historic document". He warned that if they went back to India without the birth of a new Dominion they would go back to "a lost Dominion". He expressed the hope, amid cheers, that in the time of King George, the grandson of Victoria the Good, history would be written again like this: "George III lost America, George V won India."[14]

Replying to the question as to why the problem of Hindus and Muslims comes into politics he said: "It is a wrong conception of religion that you have if you exclude politics from it. It is not dogma; it is not ritual. . . . I have a culture, a polity, an outlook on life—a complete synthesis which is Islam. . . . If you ask me to enter your Empire or into your nation by leaving that synthesis, that polity, that culture, that ethics, I will not do it."[15] we blamed the wrong teaching of history for the quarrels that existed between Hindus and Muslims. He said: "Luckily there are Muslim majorities in certain Provinces and with the federal form of government which is suited to India, not only for the solution of the Hindu-Muslim problem but is essential for the sake of the Princes also, and this is in our favour."[16]

With regard to the Indian Army, he related an incident, which occurred during the visit of the Prince of Wales to India, to show that Indian soldiers were as much in favour of Swaraj as any other Indian and he even called upon the Government to take a plebiscite of the Indian Army on this question. He also claimed that the Army should be under the control of Indians. He concluded with the hope that the Chairman would declare India to be as free as England.

The main question which cropped up during the general discussion at the plenary session of the Conference was whether the future constitution should be unitary or federal. The Ruling Princes in their speeches expressed willingness to join an all-India Federation provided the internal sovereignty of their states were guaranteed. This paved the way for detailed consideration of the proposal of forming a federation of British Indian

14. Ibid., p. 463. 15. Ibid., p. 465.

51. Ibid., 466.

provinces and Indian Princely States. A surface unity seemed to have been achieved but sharp differences arose when the question was referred for detailed consideration to a commitee called the "Federal Structure Committee".

Abortive Efforts at the Round Table Conference

During the sittings of the first Round Table Conference two important questions cropped up—the question of formation of an All-India Federation and the terms on which the Indian States would join the Federation. The Muslims had no essential objection to federation, in fact both the All-Parties Muslim Conference's resolution and Mr Jinnah's Fourteen Points envisaged federation. But the kind of federation that was being mooted with the apparent blessing of the British Government had two objectionable features—it would not be a federation of units having the same political complexion and constitutional structure; the forces of autocracy represented by the Princes would operate against the growth of genuinely responsible Government at the Centre. From the Muslim point of view there was another and more serious objection—the entry of Princes most of whom were Hindus would further weaken the Muslim position in the All-India Scheme.

The nature of the proposed federation was discussed at length by Mr Jinnah in the meetings of Federal Structure Sub-Committee of the Conference on 1 and 5 December 1930. Speaking on the item—component elements of the federation —Mr Jinnah said that it was still not clear as to what kind of federation there would be in British India. So far as the Provinces were concerned he said: "One view is that the Provinces should be made sovereign States in British India. If they are made sovereign States, they come into the Federation in the same way as the Indian States. Then there will be only one Federation and not a Federation within a Federation or two Federations."[17]

Mr Jinnah then proceeded to examine the question as to what were the subjects on which the Indian states were prepared

17. Rafique Afzal, op. cit., p. 319.

to come into the federation. He clinched the matter by raising the question whether the federation was going to be a real one or, as he said, "shall we find when we come to deal with the subjects with regard to which the Indian Princes desired to come into the Federation, that the Federation has been watered down or weakened to such an extent that it is no Federation at all?"[18] He pointed out that the real problem was what were those subjects which the Indian States were prepared to consider as matters of federal concern. Once this issue had been decided, then, Mr Jinnah said, the question will arise to what extent they could level up the Provinces. He asked the Princes to realise that so far as British India was concerned they had had a definite ideal before them and they had been determined that so far as British India was concerned it must go ahead with responsible Government in British India. He made it clear to the Indian States delegates that they were willing to meet them in every way but they had to see whether it means "real federation, and if I may use your own expression, to what extent you are prepared to sacrifice for the good of India."[19]

Discussing the matter further at the meeting of the Sub-Committee on 5 December Mr Jinnah pointed out that under the existing Government of India Act, it was a unitary Government and the Provinces were not sovereign but, he said, "In order to consider the federation of all India we must start with some basis, and the basis can only be that for the purpose of federation we also treat them as sovereign States, and see how much they will surrender."[20] Mr Jinnah explained that the position clearly would be that the Provinces also would be sovereign, having surrendered what they might agree to surrender just like the Indian states. They had, therefore, first to consider how much the Indian states were willing to surrender so that they could see real federation in front of them. He made it clear that until the Indian states had sufficiently surrendered their powers, which would make the federation a real federation, it was of no use raising the question as to what the Provinces should surrender. He argued that if the Provinces had to surrender

18. *Speeches and Statements of Quaid-i-Azam*, op. cit., p. 320.
19. Ibid., p. 320,
20. Ibid., p. 324.

something over and above what the Indian states were willing to surrender then that something could not be within the jurisdiction of the Federal Government because it would be no concern of the Indian states. Mr Jinnah concluded by emphasising again that the real issue was whether the Indian states as a body were prepared to surrender something which was really substantial and would make the Federal Legislature and Federal Government possible.

Replying to the Indian states delegates' plea that they were making a great sacrifice in agreeing to enter the federation, Mr Jinnah in his speech on 22 December said that if they were obliged to accept whatever the Indian states laid down for the purpose of creating some sort of federation, then it seemed to him that "we are handing over British India, with its population, wealth and great developments, to a body in which we shall have half the members belonging to the States, and those members will be nominated by the States, . . . and they will not only control that part of the business which will relate to the Indian States to the limited extent to which they have agreed, but with regard to British India with all matters. This is a very serious proposition for me to assert."[21]

Discussing the principle of dyarchy, i.e. reservation of certain subjects from the control of and transfer of certain subjects to the control of the Legislature, which was sought to be introduced in the Federal Government, Mr Jinnah took a specific example. Defence would be a reserved subject; the Minister in charge of defence would be a member of the Cabinet for all purposes. Mr Jinnah analysed the position as follows: "Defence is a thing for which the Legislature will not be responsible, but the responsibility is vested in somebody else, the Governor-General or whoever it may be, this minister in charge of defence is responsible to the Governor-General, and not to the Legislature. If he is a member of the Cabinet and he is in that Cabinet, but he does not yield to the rest of his colleagues on a particular question of policy, do you expect them, although the rest of the members of a Cabinet do not agree with him, to come before the Legislature and to defend the policy from which they differ? Supposing that the

21. *Speeches and Statements of Quaid-i-Azam*, op. cit. p. 327.

House is not satisfied with that Cabinet, do you expect that the rest of your Cabinet, who defend the policy with which they do not agree, should be turned out because with regard to a certain matter they have to follow a policy for which the Legislature is not responsible? . . . Will that Cabinet of yours last very long? Would you not be putting the other members of the Cabinet in a most difficult position *vis-a-vis* the House? Therefore, it seems to me that if you have a minister in charge of reserved Department he is not responsible to the Legislature but he is responsible to somebody else. It seems to me that the Legislature can discuss that policy independently of what the decision of that minister, or of the Governor-General, may be, and express their opinion, but upon that you do not want to take the life of your Government and your Executive."[22] The anomaly of the situation that might be created by the system of dyarchy was thus thoroughly exposed by Mr Jinnah.

Till then there had been no element of responsibility in the Central Government. Mr Jinnah said that they were now contemplating a great deal of responsibility in the Central Government and a federal structure of Government. He was, therefore, inclined to the view that so far as the Upper House of the Federal Legislature was concerned, they should have their representatives elected by the Provincial Legislature. But so far as the Lower House was concerned, he expressed himself in favour of direct elections. He said there had been a tremendous change and "a larger and larger number of people are taking more and more interest in their representatives and in what is going on."[23] The electors might not understand complicated issues, but they did "understand general issues and they have very clear ideas as to what is what, and, therefore, I say, I am not prepared to resort to any indirect method of election for the Lower House."[24]

Turning to the problem of responsibility of the Executive to the Legislature at the Centre, Mr Jinnah said that he was glad to note that Lord Reading, an ex-Viceroy and a leading British delegate at the Conference, had with his vast experience realised that it was not possible to withhold responsibility at the Centre.

22. *Speeches and Statements of Quaide-i-Azam*, op. cit., pp. 327-8.
23. Ibid., p. 334, 24. Ibid.

He then examined the question as to what would be the measure of responsibility. There were three important matters—finance, law and order and commercial and economic policy—regarding which safeguards were suggested. Mr Jinnah posed the question whether they were going to build up the Executive responsible to the Legislature and the Legislature upon the confidence of the people of India, or upon the confidence of the people of England or the British Parliament? He then asserted: "Your biggest safeguard is that the people of India must have confidence in it. . . . Your biggest safeguard depends upon this. Will that Legislature and will that Executive carry the confidence of the people of India? Because that is the bedrock of your safeguard. As to any other safeguard you may put up, I say it will be looked upon with a great deal of suspicion. I say, give your Finance Member the portfolio, I say, trust him and give him that real responsibility."[25] Mr Jinnah firmly expressed the opinion that "there should be no power given to anybody to tinker with the Finance Minister in any way whatsoever."[26]

With regard to defence, Mr Jinnah said that it should be a "central" subject, because he felt, whether the federation materialised or whether it did not materialise, they must still go ahead so far as British India was concerned. He, therefore, held that defence should be a central subject. He did not agree that the entire portfolio of defence would vest in the Minister responsible to the Governor-General. He was of the opinion that they had to frame a definite scheme as to which portion of the subject of defence should be in the charge of one of the Cabinet Ministers because it could not entirely be handed over to the Military Authorities absolutely. In framing this scheme, they would have to consider the question of reduction of British troops, reorganisation of the Army and formation of territorial and auxiliary forces.

Mr Jinnah put up a stout fight against the proposal to provide special safeguards for British commercial interests in India. Pressure was brought to bear on him to give up or modify his opposition, but he did not yield. Referring to Mr Jinnah's bold stand against the reactionaries of both sides, a well-known

25. Ibid., p. 349.	26. Ibid., 351.

Hindu leader, Kanji Dwarkadas, in his book *India's Fight for Freedom*, says "Pressure was brought on Jinnah by the Conservative Party through the Agha Khan, but Jinnah did not budge and stood strongly for the Indian cause. Ramsay MacDonald sent for Jinnah and told him that in the new order of things that would come in India, the British Prime Minister would have to look for prominent Indians to take up the Governorships of Provinces, obviously implying that Jinnah would have an excellent chance if he proved to be a good boy. Jinnah asked MacDonald if this was an attempt to bribe him to get his support on the British Government's compromise suggestion, particularly commercial safeguards. The Agha Khah also tried to bring pressure on Jinnah but Jinnah remained firm.[27]

While he was foremost in advocating and defending the general Indian interests *vis-a-vis* British power, Mr Jinnah was not oblivious of the special claims and interests of the Muslims. As their fearless spokesman, he asserted that though he had tried his best not to colour or prejudice the purely constitutional issue by dragging in the communal question, yet he felt that they had come to a stage when he would be failing in his duty if he did not tell the Committee what the Muslim position was? He said: "I maintain that the Hindu-Muhammadan settlement is a condition precedent—nay, it is a *sine qua non*—before any constitution can be completed for the Government of India, and I maintain that unless you provide safeguards for the Mussalmans that will give them a complete sense of security and a feeling of confidence in the future constitution of the Government of India, and unless you secure their co-operation and willing consent, no constitution that you frame for India will work for 24 hours."[28]

In spite of all the talk of federation and responsibility, no real progress was made at the first Round Table Conference because of the antics of the British delegates. Even the Agha Khan, who could by no means be regarded as harbouring any anti-British feeling, remarks in his autobiography: "Something, it was felt, above and beyond mere provincial autonomy had been

27. Kanji Dwarkadas, op. cit., p. 385.

28. M. Rafique Afzal, op. cit., p. 354.

established and ensured. The lawyers among us, like Sir Taj Bahadur Sapru, let themselves be zestfully absorbed in the details of what they then believed would lead to a serious and permanent advance along the road to Indian self-government. I must say that I in my heart of hearts was always suspicious that our work might not procure any real or lasting results, because the great realities of India in 1930 were being forgotten."[29]

29. *The Msmoirs of the Agha Khan*, p. 220.

CHAPTER NINE

HINDU-MUSLIM QUESTION, IQBAL'S ADDRESS, COMMUNAL AWARD

It was generally recognised, at least in theory, that a satisfactory settlement of the Hindu-Muslim question was a condition precedent to constitutional progress. Unless the respective claims and interests of the various communities, especially the minorities, were adjusted and reconciled, it was not possible to reach any agreement on the form, powers and functions of the legislatures and the executive responsible to them. This was not a problem peculiar to India; it had been faced and solved in other countries before they evolved constitutional structures to the satisfaction of all elements. During the first Round Table Conference attempts were made by some leading Hindu and Muslim delegates to tackle the Hindu-Muslim problem and find a solution.

The Muslim delegates led by the Agha Khan, Mr M.A. Jinnah and Sir Mohammad Shafi in their anxiety to hasten the attainment of self-government showed keenness to meet the Hindu delegates more than half way. Prolonged discussions between Hindu and Muslim delegates were held at the residence of the Nawab of Bhopal. The Muslim leaders offered to the Hindu leaders, in the words of Agha Khan, a "united front in face of the British" and "unity of command under a chosen Indian leader whose orders we would bind the Muslim community to accept,"[1] if the Hindu leaders agreed to give the Muslims the following guarantees: the constitution should be truly federal; the Muslim majorities in the Punjab and Bengal would not be

1. *The Memoirs of the Agha Khan*, p. 218.

turned into minorities in the legislatures; Sind would be separated from Bombay and constituted into an autonomous province; full-scale reforms would be introduced into N.-W.F.P. and Baluchistan; Muslims would have one-third seats in the Central legislature; a certain proportion of places in the Civil Services and Armed Forces would be provided for the Muslims.

The Muslims thus went to the farthest limits in their efforts to come to a settlement with the Hindus. This is borne out by the statement of Sir Chimanlal Setalvad, a prominent Hindu leader who took part in the negotiations with the Muslim leaders. In his memoirs *Recollections and Reflections* he testifies as follows:

> After we reached London well in advance of the date fixed for the Round Table Conference, it was arranged that some representatives of Hindus and of Muslims should meet to consider the question of settlement. Sapru, Sastri, myself, Jayakar, Moonje and Ambedkar were deputed for this meeting and the Aga Khan, Jinnah and one other gentleman represented the Muslims. The meetings were held at the residence of H.H. the Nawab of Bhopal, and we met night after night continuously for several days. H.H. the Nawab of Bhopal was most helpful and was anxious that a settlement should be arrived at. When we first met I put the question to the Aga Khan, whether if we arrived at a satisfactory settlement on this point, he would agree to joint electorates. He said, "If you satisfy our demands on all other matters, we would agree to joint electorates with reservation of seats for Muslims." I put a further question, "If we came to a settlement on all matters including joint electorates, will the Muslim delegates support the national demand at the Conference?" His answer was characteristic. He said, "In that event you lead and we follow."[2]

After recounting the Muslim demands put forward by the Muslim leaders, Sir Chimanlal frankly admits: "Sapru, Sastri and myself would have agreed immediately to these demands and secured joint electorates. We were, however, seriously disappointed in the attitude of Jayakar and Moonje."[3] Sir Chimanlal

2. Reproduced in Kanji Dwarkadas *India's Fight for Freedom*, pp.383-4.
3. Ibid., p. 384.

laments: "A great opportunity was thus lost. If Sapru, Sastri and myself could have helped it we would have at once conceded the demands of the Aga Khan and made him and other Muslim representatives sign for joint electorates."[4]

Referring to the Hindu leaders' refusal to accept the modest and reasonable demands of the Muslim leaders, the Aga Khan remarks: "That acceptance denied us, the rest of the first Round Table Conference was not of much essential or practical importance, since the foundation on which its deliberations should have been built was vague and fragile, instead of strong and firm."[5] The Aga Khan is right in his summing up of the results of the first Round Table Conference. It failed to register any appreciable progress either in the purely constitutional field or regarding settlement of the Hindu-Muslim question. The Conference ended on 19 January 1931 after adopting a vaguely-worded resolution as follows:

> The Conference sitting in Plenary Session has received and noted the Reports of the nine sub-committees submitted by the Committee of the Whole Conference, with comments thereon. These Reports, provisional though they are, together with the recorded notes attached to them, afford in the opinion of the Conference material of the highest value for use in the framing of a constitution for India, embodying as they do a substantial measure of agreement on the main ground plan, and many helpful indications of the points of detail to be further pursued; and the Conference feels that arrangements should be made to pursue without interruption the work upon which it has been engaged, including the provision in the constitution of adequate safeguards for the Mussalmans, Depressed Classes, Sikhs and all other important minorities.[6]

Iqbal's Address

While the Round Table Conference was sitting in London, an important pronouncement on the position of Muslims *vis-a-vis* the political situation and the problems of the future constitution of India was made by Allama Iqbal in his Presidential

4. Ibid.
5. *The Memoirs of Aga Khan*, p. 219.
6. *Indian Round Table Conference, proceedings*, 1931.

Address at the session of the All-India Muslim League at Allahabad in December 1930. It was different from the usual type of addresses delivered on such occasions, for he made an analytical and scientific study of the problems in a philosophical style and propounded his own solution which was ultimately to guide the political thinking and activity of the Muslims.

Discussing the much-abused word "communalism," Allama Iqbal said: "I have no hesitation in declaring that if the principle that the Indian Muslim is entitled to full and free development on the lines of his own culture and tradition in his own Indian homelands is recognised as the basis of a permanent communal settlement, he will be ready to stake his all for the freedom of India. The principle that each group is entitled to free development on its own lines is not inspired by any feeling of narrow communalism. There are communalisms and communalisms. A community which is inspired by feelings of ill-will towards other communities is low and ignoble. I entertain the highest respect for the customs, laws, religious and social institutions of other communities. Nay, it is my duty according to the teaching of the Quran even to defend their places of worship, if need be. Yet I love the communal group, which is the source of my life and behaviour and which has formed me what I am, by giving me its religion, its literature, its thought, its culture and thereby recreating its whole past as a living operative factor in my present consciousness."[7] Allama Iqbal then quoted from the Nehru Report to show that even the authors of that document recognised the inevitability of communalism. The Report said that "without the fullest cultural autonomy, and communalism in its better aspect is culture, it would be difficult to create a harmonious nation."[8]

Allama Iqbal held that communalism in its higher aspect was indispensable to the formation of a harmonious whole in a country like India. He then asserted: "The units of Indian society are not territorial as in European countries. India is a continent of human groups belonging to different races, speaking

7. *Shamloo*, Speeches and Statements of Iqbal, p. 11.
8. Ibid., pp. 11-2.

different languages and professing different religions. Their behaviour is not at all determined by a common race-consciousness. Even the Hindus do not form a homogeneous group. The principle of European democracy cannot be applied to India without recognising the fact of communal groups. The Muslims' demand for the creation of a Muslim India within India is, therefore, perfectly justified."[9]

He supported the proposals embodied in the resolution of the All-Parties Muslim Conference held at Delhi in January 1929, but he said that personally he would prefer to go further. And then he made his famous declaration as follows: "I would like to see the Punjab, North-West Frontier Province, Sind and Baluchistan amalgamated into a single state. Self-government within the British Empire or without the British Empire, the formation of a consolidated North-West Indian Muslim State appears to me to be the final destiny of the Muslims, at least of North-West India."[10]

Allama Iqbal explained that the idea of a separate Muslim State need not alarm the Hindus or the British. He felt that the life of Islam as a cultural force in this country very largely depended on its centralisation in a specified territory and he held out the assurance that "thus possessing full opportunity of development within the body politic of India, the North-West India Muslims will prove the best defenders of India against a foreign invasion, be the invasion one of ideas or of bayonets."[11] He refuted the Hindu allegation that the creation of an autonomous Muslim State would mean the introduction of a kind of religious rule in such states. He explained: "The truth is that Islam is not a Church. It is a State conceived as a contractual organism lying before Rousseau every thought of such a thing and animated by an ethical ideal which regards man not as an earth-rooted creature, defined by this or that portion of the earth, but as a spiritual being understood in terms of social mechanism and possessing rights and duties as a living factor in

9. Ibid., p. 12.
10. Ibid.
11. Ibid., p. 13.

that mechanism."[12]

Concluding, Allama Iqbal made a passionate appeal to the Muslims to rise above self and to realise the value of a "unified will" and "collective action". He observed: "Matter is diversity; spirit is light, life and unity. One lesson I have learnt from the history of Muslims. At critical moments in their history it is Islam that has saved Muslims and not *vice versa*. If today you focus your vision on Islam and seek inspiration from the ever-vitalising idea embodied in it, you will be only reassembling your scattered forces, regaining your lost integrity, and thereby saving yourself from total destruction. One of the profoundest verses in the Holy Quran teaches us that the birth and rebirth of the whole of humanity is like the birth and rebirth of a single individual. Why cannot you who, as a people, can well claim to be the first practical exponents of this superb conception of humanity, live and move and have your being as a single individual?"[13]

The proposal, put forward by Allama Iqbal in 1930, did not attract the attention it deserved. The political thinking of the Muslims was yet embryonic. Some time had to pass before they would gain consciousness of their real political destiny and work for its realisation.

The Second Round Table Conference
Mr Gandhi's Shifting Postures

The civil disobedience movement, launched by the Congress in April 1930, spent its force by the end of the year. Some liberal Hindu leaders like Sapru, Jayakar and Sastri tried to bring about a compromise between Mr Gandhi and the Viceroy, Lord Irwin, but the attempt did not succeed. However, the Government released Mr Gandhi in January 1931. As was his wont, he began to throw feelers to the Government for a possible compromise. Lord Irwin was not slow to respond. Mr Gandhi went to Delhi for talks with him. With his flair for fanfare and publicity, Mr Gandhi used to go on foot to the Viceroy's House for his interviews.

12. Ibid., p. 14. 13. Ibid., pp. 35-36.

After several days of talks an agreement was reached between Lord Irwin and Mr Gandhi on 5 March 1931. The Government made a few minor concessions to enable Mr Gandhi to save face and call off the movement. All Congress leaders and workers were released and people living in coastal areas were allowed to pick sea-salt. No major commitment of a political nature, however, was made. It was stated that federation was an essential feature of the scheme which the Round Table Conference had tried to envolve and that defence, foreign affairs and rights of minorities were to be reserved subjects. Further efforts would be made to enable Congress representatives to participate in the second session of the Round Table Conference.

Lord Irwin's term of office came to an end in April 1931 and he was succeeded by Lord Willingdon.

Mr Gandhi had established a personal equation and rapport with Lord Irwin who had the reputation of being religious-minded, affable, tolerant and persuasive. Lord Willingdon was a different type of man and administrator. He possessed urbanity and diplomatic finesse, but he was conservative in political outlook and could be firm and unyielding in dealing with political situations. However, he too continued to make efforts to secure Congress's participation in the Round Table Conference.

The British Indian Delegation was enlarged with the addition of some more delegates. The additional Muslim delegates were Maulana Shaukat Ali, Dr Sir Mohammad Iqbal, Maulana Shafi Dawoodi and Sir Ali Imam. Mr Gandhi made great efforts to get Dr M.A. Ansari nominated as a delegate, but the Muslim leaders resisted his nomination, for he could not possibly represent the Muslims in view of his total commitment to Congress ideas and viewpoint. The Government wanted to nominate a number of Congress leaders as delegates but the Congress Working Committee itself decided that Mr Gandhi would be the sole Congress representative. It was, however, agreed that Mrs Sarojini Naidu would accompany him as another Congress delegate.

The second session of the Round Table Conference was scheduled for September 1931. Mr Gandhi was having an

interview with the Viceroy in Simla. A special train was arranged to take him to Bombay so that he could arrive there in time to sail for London. At the Round Table Conference, the main problem which confronted Mr Gandhi was the Hindu-Muslim question. As at the First Round Table Conference, it was arranged that informal talks between Hindu and Muslim leaders should take place for the purpose of arriving at a settlement. Mr Gandhi, accompanied by Mrs Sarojini Naidu, arrived at the Ritz Hotel suite of the Aga Khan to have discussions with the Muslim leaders. The Aga Khan in his *Memoirs* narrates how the conversations started. He himself acted as host and the negotiations on behalf of the Muslims were conducted by Mr M.A. Jinnah and Sir Mohammad Shafi.

The Aga Khan says: "I opened by saying to Mahatmaji that were he now to show himself a real father to India's Muslims, they would respond by helping him, to the utmost of their ability, in his struggle for India's independence."[14] This was indeed a most friendly gesture and it clearly meant that if the legitimate claims of the Muslims were recognised, they would throw their full weight behind Mr Gandhi and the Congress to achieve full independence. But what was Mr Gandhi's response? "I cannot in truth say," he observed, "that I have any feeling of paternal love for Muslims. But if you put the matter on grounds of political necessity, I am ready to discuss it in a cooperative spirit. I cannot indulge in any form of sentiment."[15] This was, says the Aga Khan, a "cold douche" from the outset and the chilly effect was felt throughout the rest of the conversation. The Aga Khan regrets that whereas he "had given prompt and ready evidence of a genuine emotional attachment and kinship there had been no similar response from the Mahatmaji."[16]

There was a series of negotiations between Mr Gandhi and the Muslim leaders, but without any fruitful result. Instead of facing the fact of the existence of different communal, ethnic, cultural and linguistic groups with conflicting interests and claims, Mr Gandhi followed a doctrinaire line. He insisted on

14. *The Memoirs of the Aga Khan*, op. cit., p. 227.
15. Ibid. 16. Ibid.

India being treated as a single nation and all other questions being discussed and decided in the light of this assumption. The Aga Khan commenting on Mr Gandhi's adamant attitude says: "The Congress's attitude appeared to us doctrinaire and unrealistic. They held stubbornly to their one-nation theory which we know to be historically unsupportable. We maintained that before the coming of the British Raj, the various regions of the Indian subcontinent had never been one country, that the Raj had created an artificial and transient unity, and that when the Raj went that unity could not be preserved and the diverse peoples, with their profound racial and religious differences, could not remain fellow-sleepers for all time, but that they would awake and go their separate ways."[17]

Instead of discussing the proposals put forward by the Muslim leaders, Mr Gandhi laid down a number of pre-conditions for giving any consideration to Muslim demands. The first and fundamental condition that he laid down was that the Muslims, before they asked for any guarantees for themselves, accept Congress's interpretation of Swaraj. As the Aga Khan says: "Mr. Jinnah very rightly answered that, since the Mahatma was not imposing this condition on the other Hindu members of the various delegations attending the Round Table, why should he impose it on the Muslims? Here was another heavy handicap."[18] The Congress's conception or interpretation of Swaraj was clearly based on the one-nation theory which was unrelated to realities and which meant denial of the separate political existence and claims of the Muslims. Naturally they could not submit to such a demand.

Mr Gandhi laid down another condition which was not only unfair but unrighteous. He demanded of the Muslim delegates that they should not support any special claims or rights of the Scheduled Castes or the Depressed Classes, particularly their claim to separate representation. Allama Iqbal, who was present during the conversation, narrates the reply which the Muslim leaders gave to Mr Gandhi as follows: "It was pointed out to him that it did not lie in the mouth of Muslims to oppose those

17. Ibid., pp. 228-9.

18. Ibid., p. 229.

very claims on the part of the Untouchables which they were advancing for themselves, and that if Mr. Gandhi could arrive at a mutual understanding with the Untouchables the Muslims would certainly not stand in their way. Mr. Gandhi, however, insisted on the condition."[19]

Mr Gandhi talked of giving the Muslims a "blank cheque" but in the same breath he demanded that the Muslims should make unanimous proposals which should also be assented to by the "Nationalist" Muslims, knowing full well that they were in his pocket and would not support the proposals made by the bulk of the Muslims. Mr Gandhi also wanted the Muslims to secure the consent of Sikhs. He further said that he would accept the Muslim demands in his personal capacity and "would try to secure, but not guarantee, the acceptance of his position by the Congress."[20] Allama Iqbal asked him to wire to the Congress Executive and secure its consent to his offer. Mr Gandhi said that he knew that the Congress would not make him their plenipotentiary on this question. When it suited Mr Gandhi he could claim to be and function as the sole spokesman and representative of the Congress; when it did not, he would take shelter behind the fact that he was not a four-anna member of it.

Thus Mr Gandhi on one pretext or another kept changing his posture and burking the issue of Hindu-Muslim settlement. He was made Chairman of the Minorities Committee, but he failed to get any question settled in the Committee. Since the non-co-operation movement of 1920, he had consistently maintained that Hindu-Muslim unity and a satisfactory settlement of the minorities' claims were the *sine qua non* to the attainment of freedom. But now he changed his position. Addressing the final meeting of the Minorities Committee in the presence of the Prime Minister, Mr Ramsay MacDonald, Mr Gandhi said: "Further you will allow me to say that this was hardly the time to summon the Minorities Committee. The solution of the communal tangle can be the crown of Swaraj Constitution and not its foundation. Our differences have hardened, if they have not arisen, by reason of the foreign domination. I have not the

19. *Shamloo*, op. cit., p. 209.   20. Ibid.

shadow of doubt that the iceberg of communal differences will melt under the warmth of the sun of freedom."[21]

Even Mr MacDonald who was otherwise sympathetic to the Congress and its demands was so provoked by Mr Gandhi's quibbling and play on words that he directly addressed him as follows: "Be honest and face the facts. The communal problem is a problem of fact. Does the problem exist in India or does it not exist? I do not answer. I leave you honestly to answer it for yourselves and to yourselves. Then, if the communal problem does exist, how can it be discussed with a view to settlement either in India or here? At the foundation of any progress towards the setting up of an Indian Constitution lies the problem of community representation, community rights, community protection and so on."[22]

Thus Mr Gandhi failed not only to reach any settlement with the Muslim leaders but to make any positive contribution to political and constitutional advance. A prominent Hindu leader of Bombay, Kanji Dwarkadas, in his book *India's Fight for Freedom*, comments on Mr Gandhi's failure as follows: "The Communal and Depressed Classes problems would have been settled in London at the R.T.C., but Gandhiji was under the influence of Hindu Communalists—Pandit Malaviya, Jayakar and G. D. Birla." In this connection the remarks of Mr Tasadduq Ahmad Khan Sherwani who was a member of the Congress Working Committee, are also noteworthy: "Sir Mohammad Shafi had on behalf of the Muslims made a proposal according to which joint electorate with reservation of seats could be introduced, but Pandit Malaviya rejected it only because of a majority of one seat for the Muslims. Since the Hindus had hopes in Mr Ramsay MacDonald, author of the book *Indian Awakening* they wrote a letter to Mr MacDonald requesting him to give a decision on the communal question."[23] Mr Gandhi too endorsed the proposal that the British Prime Minister should give a decision.

Disappointed by the attitude of Mr Gandhi and other

21. Jamil-ud-Din Ahmad, *Some Recent Speeches and Writings of Mr. Jinnah*, pp. 462-3.
22. Ibid., p. 463.
23. Mohammed Amin Zuberi, op. cit., p. 256.

Caste Hindu leaders like Malaviya, Jayakar and Moonji, the Muslim leaders took the initiative to evolve a Minorities Pact with the co-operation of the leaders of various minorities, including the Depressed Classes. This Pact was signed by the Aga Khan (Muslims), Dr Ambedkar (Depressed Classes), Rao Bahadur Pannir Selvan (Indian Christians), Sir Henry Gidney (Anglo-Indians), Sir Hubert Carr (Europeans).

The Pact contained a number of agreed principles for the settlement of the claims of the various communities. Some of these principles were:

(1) Full liberty of belief, worship, observances, propaganda, association and educational establishments guaranteed to all communities subject to public order and morality.

(2) The right to establish, manage and control at their own expense charitable, religious and social institutions, schools and other educational establishments with the right to exercise their religion therein.

(3) Adequate safeguards for the protection of religion, culture and personal law and the promotion of education, language, charitable institutions of the minority communities and for their due share in grants-in-aid given by the State and by the self-governing bodies.

(4) Inclusion of members belonging to the Muslim community and other minorities and a considerable number in the Cabinets of the Central and Provincial Governments.

(5) Statutory Departments under the Central and Provincial Governments to protect minority communities and to promote their welfare.

(6) All communities enjoying representation in any legislature through nomination or election to have representation in all legislatures through separate electorate and the minorities not to have less than the proportion set forth in the Pact but no majority to be reduced to a minority or even an equality, provided that after a lapse of ten years it would be open to Muslims of the Punjab and Bengal and any minority communities in other Provinces to accept joint electorates or joint electorates with reservation of seats by the consent of the community concerned, the same principle to apply to the Central

legislature. With regard to the Depressed Classes no change to joint electorates and reserved seats to be made until after twenty years' experience of separate electorates and until direct adult suffrage for the community had been established.

(7) Recruitment to the public services to be made through Public Service Commission in such a way as to secure a fair representation of the various communities consistently with the consideration of efficiency and the possession of the necessary qualifications.

(8) The N.-W.F. Province to be constituted a Governor's Province on the same footings as other Provinces. Sind to be separated from the Bombay Presidency and made a Governor's Province, similar to the other Provinces.

(9) Muslim representation in the Central Legislature to be one-third of the total number of the House.

(10) The Constitution to declare invalid any custom or usage by which any penalty or disadvantage or disability was imposed upon or any discrimination was made against any subject of the State in regard to the enjoyment of civic rights on account of Untouchability.

The unity maintained by the Muslim delegation in its ranks paid some dividends. Positive decisions were taken by the British Government with regard to two Muslim demands. It was decided in principle to separate Sind from Bombay and to introduce constitutional reforms in N.-W.F. Province to bring it in line with the other provinces.

The Third Round Table Conference and the Communal Award

During his absence from India as Mr Gandhi was attending the Round Table Conference, there were some disturbing developments in the country. The Congress in the United Provinces led by Pandit Jawaharlal Nehru and Pandit Govind Ballabh Pant instigated the peasants to launch a no-rent campaign, as they declared the remissions granted by Government to be unsatisfactory. There was also trouble in Bengal and N.-W.F. Province. Government took recourse to repressive measures and Congress leaders and workers were arrested.

It was against this discouraging background that Mr Gandhi returned to India on 28 December 1931. The next day he sent a telegram to the Viceroy, Lord Willingdon, asking for an interview with him, so that he could seek light for his future course. The Viceroy in his reply indicated in detail the causes which had led the Government to adopt the policy it was following and refused to discuss it with Mr Ghandi. The Congress Working Committee, in consultation with Mr Gandhi, condemned Government's actions, expressed dissatisfaction with the proceedings of the Round Table Conference and demanded complete independence. In the event of refusal of its demand, the Working Committee resolved to restart the civil disobedience movement.

Again on 1 January 1932, Mr Gandhi sent a lengthy telegram to the Viceroy conveying the substance of the Congress's resolutions, justifying its stand, blaming the Government and repeating the request for an interview. The Viceroy in reply refused the request for interview and made it clear that Mr Gandhi and the Congress would be held responsible for the consequences which would follow the Congress's course of action and Government would combat it by all possible means. The civil disobedience movement was restarted by the Congress with full vigour and was as vigorously suppressed by Government. All prominent Congress leaders including Mr Gandhi were put behind the bars. During all these developments, the Congress simply ignored the Muslims and did not bother to give any consideration to Muslim claims and demands. Its stand seemed to be clear—it considered itself not only the sole representative of the country but also capable of wresting freedom without bothering to enlist the support and co-operation of the Muslims and other minorities. Mr Gandhi had given the go-by to his oft-repeated dictum that Swaraj was impossible without Hindu-Muslim unity.

There was a change of Government in England due to economic depression. Mr MacDonald's Labour Government gave place to a coalition Government of the Labour and Conservative Parties, though Mr MacDonald still continued to be the Prime Minister. Effective power, however, passed into the hands of the Conservatives. Decisions regarding Indian matters

lay with the Secretary of State for India, Sir Samuel Hoare, a Conservative. This was reflected in the Third Round Table Conference held in 1932.

This session of the Conference was officially known as the Joint Select Committee appointed by Parliament with the Marquess of Linlithgow as Chairman. The personnel of the Committee contained a preponderant element of Conservatives. Indian representation was made up of leaders drawn from parties other than the Congress. Among the Muslim members, the name of Mr Jinnah was missing. In the first two sessions of the Round Table Conference, he had taken a bold nationalist stand and was an unsparing critic of the retrograde features of the constitutional scheme, that was being evolved. His inclusion in the third sitting of the Conference was, therefore, not to the liking of the Conservatives. The Aga Khan in his *Memoirs* regrets Mr Jinnah's exclusion from the Conference. He says: "It was, I think, extremely unfortunate that we Muslims did not insist on having Mr. Jinnah with us; had he been a member of the delegation, he might have subscribed to what I consider was the most valuable result of the Round Table Conference."[24]

Mr Jinnah himself explained the reasons for his exclusion from the Conference in the course of a speech in the debate on the report of the Joint Parliamentary Committee in the Indian Legislative Assembly in February 1935. He referred to the British newspapar *Statesman's* accusation against him, namely, "Mr. Jinnah, who started as a keen Round Tabler, as an enthusiastic Federalist, is now dissatisfied, because he was not invited to the later sittings of the Conference."[25] Refuting the allegation, Mr Jinnah said: "I was not invited to the later sittings of the Conference because I was the strongest opponent of the scheme, that was being constructed from the commencement, and not that I have become an oppònent because I was not invited to the Third Round Table Conference. Sir, these lies, these insinuations, these reflections are not worthy of any newspaper worth the name."[26]

24. *The Memoirs of the Aga Khan*, , p. 232.
25. *Speeches and Writings of Mr Jinnah*, op. cit., p. 2.
26. Ibid., pp. 2-3.

In keeping with his pledge given at the Second Round Table Conference, the Prime Minister, Mr MacDonald, announced in July 1932 a Communal Award which fixed the quota of representation of various communities and interests in the Provincial Legislatures. The introductory part of the announcement stated that: "His Majesty's Government, having been informed that the continued failure of the communities to reach an agreement was blocking the progress of plans for the framing of the new constitution stated . . . are now satisfied that without the decision of at least some aspects of the problems connected with the position of minorities under the new constitution, no future progress can be made with the framing of the constitution."[27] His Majesty's Government, therefore, decided to give effect to the scheme of communal representation appended with the statement.

According to the scheme Muslims along with Sikhs and Indian Christians were allowed to retain their separate electorate and the Muslim quota of representation in the various legislatures was fixed as follows: Bombay 30 out of 175; Madras 29; Bengal 119 out of 250; U.P. 66 out of 228; Punjab 86 out of 175; Bihar and Orissa 42 out of 175; C.P. 14 out of 112; Assam 34 out of 108; N.-W.F.P. 36 out of 50 and Sind 34 out of 60.

The Communal Award did a manifest injustice to the Muslims. Though they were allowed to retain the weightages given to them in the Muslim-minority provinces, the Muslim representation in the two major provinces, Bengal and the Punjab, was reduced to minority. The Muslim population in Bengal was 55%, but they were allocated only 47·6% seats in the legislature. Similarly, the Muslims in the Punjab, though constituting 57% of the population, were accorded only 49% seats. The landholders in the Punjab were allotted 5 seats. As the majority of them were Muslims, it was possible for them to secure a bare majority in the legislature. In the two other Muslim majority provinces the non-Muslim minorities were given excessive weightage. The 20% non-Muslim population in Sind was given 43% representation, and non-Muslims constituting 7% of the population got 28% representation in N.-W.F.P.

27. Ibid., p. 83.

The Muslim League unfortunately continued to be riddled with factional activites. There was no session of the League in 1932. At the beginning of 1933, the internal solidarity of the League was badly shaken. The trouble began when, at a meeting of the League Council on 12 March 1933, Mian Abdul Aziz of Peshawar, Acting President, arbitrarily without allowing discussion on the subject declared the office of the Secretary vacant. Moulvi Mohammad Yakub, in deference to the ruling of the President, withrew from the office of Secretary, but the members of the Council strongly resented the action of the Acting President and at an informal meeting disapproved his action and expressed full confidence in Moulvi Mohammad Yakub.

Mian Abdul Aziz continued to act in a high-handed manner and prevented the Secretary from calling a meeting of the Council for the purpose of electing a President for the next session of the League. This created a deadlock. Thereupon, the members of the Council requisitioned a meeting which passed a vote of no-confidence against Mian Abdul Aziz who was present in the meeting. At a subsequent meeting of the League Council, it was decided to hold the next annual session of the League at Delhi under the presidentship of Hafiz Hidayet Hussain of Cawnpore in Novermber 1933. At this session the League, while accepting the Communal Award given by the British Prime Minister, resolved to continue efforts for getting other Muslim demands accepted. The League also demanded that the minorities be represented in the Cabinets by persons who enjoyed confidence of the representatives of these minorities in the Legislatures. The most important resolution adopted at the session called for efforts to bring about reunion in Muslim ranks in consultation with Mr Jinnah and Aga Khan.

CHAPTER TEN

DRIFT IN MUSLIM POLITICS, REVIVAL OF MUSLIM LEAGUE

For want of effective leadership and well-defined purposes and goals, Muslim politics was in doldrums during the years 1931 to 1934. The Muslim ranks were hopelessly divided into numerous parties and groups each claiming to represent the community but none possessing any representative capacity. There were the Nationalist Muslims, the Jamiat-ul-Ulema (two factions), the Ahrar, the All-Parties Muslim Conference later known as the All-India Muslim Conference and the two wings of the All-India Muslim League. The group known as the Shafi League met only once at Lahore in 1927 but did not hold any other session. There was very little realisation among the Muslim leaders that the community had to pull as a whole in an organised manner if its interests were to be protected and advanced.

The Muslim League which till 1929 had functioned as the main organ of Muslim India fell on evil days. The larger section of the Muslim League lost much of its prestige and influence due to the departure of Mr Jinnah who had been its President from 1919 to 1929. An idea of this loss can be formed from the remarks made by Maulvi Mohammad Yakub of Moradabad who had succeeded Dr Saifuddin Kitchlew as General Secretary of the League in 1930. In his report for the year 1931, he said: "Mr. Jinnah's decision to leave the country which necessarily severed his connection with the League was a very severe blow to the institution. Mr. M.A. Jinnah had been the life and the moving spirit of the League for many years and the success of the institution during the last nine years was due to his earnestness, devotion and statesmanship. The Mussalmans of India in general,

and the All-India Muslim League in particular, can hardly repay the debt of gratitude which we owe to Mr. M.A. Jinnah for establishing the political status of the Mussalmans in this country. Mr. Jinnah's absence from India at this critical juncture is a matter of great concern and disappointment, but it must be a source of great satisfaction to us that he is now fighting our battle on the main front and is defending the Muslim cause in England where the future destiny of our country is in the process of formation." Maulvi Yakub also expressed the hope that Mr. Jinnah would again return to India with laurels to resume the leadership of the Indian Mussalmans which he fully deserved.

It will be recalled that after the first Round Table Conference, Mr Jinnah had decided to settle down in London temporarily and start legal practice before the Privy Council. He had been led to make this decision by some unhappy experiences and distressing circumstances which he himself explained in a speech at Aligarh on 5 February 1938 as follows: "I worked so incessantly to bring about a rapprochement that a newspaper remarked that Mr. Jinnah is never tired of Hindu-Muslim unity. But I received the shock of my life at the meetings of the Round Table Conference. In the face of danger the Hindu sentiment, the Hindu mind and the Hindu attitude led me to the conclusion that there was no hope of unity. I felt very pessimistic about my country. The position was most unfortunate. The Musalmans were like the No Man's Land; they were led by either the flunkeys of the British Government or the camp-followers of the Congress. Whenever attempts were made to organise the Muslims, toadies and flunkeys on the one hand and traitors in the Congress camp on the other frustrated the efforts. I began to feel that neither could I help India, nor change the Hindu mentality, nor could I make the Musalmans realise their precarious position. I felt so disappointed and so depressed that I decided to settle down in London."[1]

More or less the same story is related by Mr S.M. Ikram in his book *Modern Muslim India and the Birth of Pakistan*. He says: "During the course of a brief visit to Oxford in 1932 he

1. Jamil-ud-Din Ahmed, Ed., *Speeches and Writings of Mr. Jinnah*, pp. 37-8.

[Mr Jinnah] said to the present writer with great anguish of soul, 'But what is to be done? The Hindus are shortsighted and, I think, incorrigible. The Muslim camp is full of those spineless people who, whatever they may say to me, will consult the Deputy Commissioner about what they should do! Where is, between these two groups, any place for a man like me?' "[2]

During this period the All-India Muslim League and the All-India Muslim Conference occasionally held meetings of their Councils or Executive Committees and passed resolutions reiterating the demands embodied in the Fourteen Points or the 1929 Resolution of the Muslim Conference. For instance, the Council of the All-India Muslim League refused to agree to the proposal that responsibility for the Government of India should be placed on the Legislatures, Central and Provincial, with such provision as may be necessary to guarantee and to meet other special circumstances, unless it is ensured that: (1) the Indian Muslims have $33\frac{1}{3}\%$ of the total representation in the Central Legislature; (2) the weightage at present exercised by the Muslim community in all the minority provinces is maintained, similar weightage being given to the Hindu community in Sind and the N.-W.F. Province, (3) the small Muslim majorities in the Punjab and Bengal are in no way impaired. The Council also reiterated the demands for separation of Sind from Bombay, introduction of reforms in N.-W.F.P. and vesting of residuary powers in the provinces.

Mr Jinnah had stayed behind in London after the first Round Table Conference, but he did not lose touch with the developments in India and the affairs of his community. In August 1931, he paid a short visit to India and met Muslim leaders of various schools of thought. He earnestly impressed on them the imperative need of presenting a united front in view of the impending constitutional reforms. In this connection he made an important speech at the U.P. Muslim Conference at Allahabad which he attended by special invitation. He made it clear that he was not a delegate to this Conference nor a member of the Executive Board of the All-India Muslim Conference, but

2. S.M. Ikram, *Modern Muslim India and the Birth of Pakistan*, p. 253.

he felt that it was his duty to go to Allahabad and put his views before them. Proceeding Mr Jinnah said: "The first thing that I wish to tell you is that it is absolutely essential and vital that Muslims should stand united. For Heaven's sake close all your ranks and files and stop this internecine war. I urged this most vehemently and I pleaded to the best of my ability before Dr. Ansari, Mr. T.A.K. Sherwani, Maulana Abul Kalam Azad and Dr. Syed Mahmud. I hope that before I leave the shores of India I shall hear the good news that whatever may be our differences, whatever may be our convictions between ourselves, this is not the moment to quarrel between ourselves."[3]

Mr Jinnah then referred to a certain section of the press and a certain section of the Hindus who constantly misrepresented him in various ways. He was reading the speech of Mr Gandhi who was reported to have said that he loved Hindus and Muslims alike. With characteristic sincerity, Mr Jinnah remarked: "I again say, standing here on this platform, that although I may not put forward that claim, yet I do put forward this honestly and sincerely that I want fairplay between the two communities."[4]

Continuing Mr Jinnah said: "As to the most important question which to my mind is the question of Hindu-Muslim settlement, all I can say to you is that I honestly believe that the Hindus should concede to the Muslims a majority in the Punjab and Bengal and if that is conceded, I think, a settlement can be arrived at in a very short time.

"The next question that arises is one of separate *vs.* joint electorates. As most of you know, if a majority is conceded in the Punjab and Bengal, I would personally prefer a settlement on the basis of joint electorate. (Applause.) But I also know that there is a large body of Muslims—and I believe a majority of Muslims—who are holding on to separate electorate. My position is that I would rather have a settlement even on the footing of separate electorate, hoping and trusting that when we work our new constitution and when both Hindus and Muslims get rid of distrust, suspicion and fears and when they get their freedom,

3. *Indian Annual Register, 1939.* 4. Ibid.

we would rise to the occasion and probably separate electorate will go sooner than most of us think.

"Therefore, I am for a settlement and peace among the Muslims first; I am for a settlement and peace between the Hindus and Mohammedans. This is not a time for argument, not a time for propaganda work and not a time for embittering feelings between the two communities, because the enemy is at the door of both of us, and I say without hesitation that if the Hindu-Muslim question is not settled, I have no doubt that the British will have to arbitrate and that he who arbitrates will keep to himself the substance of power and authority. Therefore, I hope they will not vilify me. After all, Mr. Gandhi himself says that he is willing to give Muslims whatever they want, and my only sin is that I say to the Hindus: give to the Muslims only 14 points, which is much less than the 'blank cheque,' which Mr. Gandhi is willing to give. I do not want a blank cheque, why not concede the 14 points? When Pandit Jawaharlal Nehru says: 'Give us a blank cheque,' when Mr. Patel says: 'Give us a blank cheque and we will sign it with a Swadeshi pen on a Swadeshi paper,' they are not communalists and I am a communalist! I say to Hindus not to misrepresent everybody. I hope and trust that we shall be yet in a position to settle the question which will bring peace and happiness to the millions in our country.

"One thing more I want to tell you and I have done. During the time of the Round Table Conference,—it is now an open book and anybody who cares to read it can learn for himself—I observed the one and the only principle and it was that when I left the shores of Bombay, I said to the people that I would hold the interests of India sacred, and believe me—if you care to read the proceedings of the Conference, I am not bragging because I have done my duty—that I have loyally and faithfully fulfilled my promise to the fullest extent, and I venture to say that if the Congress or Mr. Gandhi can get anything more than I fought for, I would congratulate them."[5]

Concluding Mr Jinnah said that they must come to a settlement, they must become friends eventually and he, therefore,

5. Ibid., 1931.

appealed to the Muslims to show moderation, wisdom and conciliation, if possible, in the deliberations that might take place and the resolutions that might be passed at the conference.

Mr Jinnah's earnest pleadings had some effect and the leaders of the Muslim League and the Muslim Conference took a common stand and put forward common proposals. The "Nationalist" Muslims headed by leaders like Dr Ansari and Maulana Azad continued to toe the Congress line, and Mr Gandhi always found an excuse to turn down the Muslim demands. The Muslim bodies lacked effective organisation and that is why their voice did not carry weight. The Muslim League held its annual session at Delhi but it was poorly attended. The election of Chaudhri Zafarullah Khan as President of the session, scheduled for December 1931, led to a controversy. The Muslim public of Delhi resented his election, and the session had to be held in a private house in New Delhi.

The main resolution passed by the League session expressed disappointment at the British Government's failure to announce such safeguards for Muslim interests as were considered necessary by the community, regretted the Government's provisional decision to defer introduction of full autonomy in provinces till the framing of the all-India constitution and reiterated the demands for Muslim representation to the extent of one-third in each chamber of the Federal Legislature, representation in the legislatures of Muslim minority provinces in accordance with the proportion of representation then enjoyed by them, representation in the legislatures of the Punjab and Bengal in accordance with their proportion in the population of those provinces and full and adequate share in public service and grants-in-aid.

The League session also appointed a committee to bring about a union between the League and the All-India Muslim Conference and to take necessary steps for the amalgamation of the two bodies. The continuance of two bodies having the same objects, not only appeared unnecessary and superfluous but resulted in dissipation of energies. Many leaders attended meetings of both bodies. The only difference between them was that the Muslim League in keeping with its tradition was a little more

independent in outlook, whereas the Muslim Conference was dominated by leaders who were known for their pro-Government attitude. The reunion came about when Mr Jinnah was persuaded to agree to his re-election as President of the All-India Muslim League in 1934.

Revival of the Muslim League – Mr Jinnah's Return In India

As the outlines of the future constitutional scheme became known, there was some realisation among the Muslim intelligentsia that there should be unity in Muslim ranks and the Muslim League should be reorganised and revived. Mr Jinnah, who was still in London, received frantic appeals from Muslim leaders of different provinces to return to India and resume the leadership of the Muslims. He responded to these appeals because, as he said later, he felt it like "a call of blood". In April 1934, the Council of the All-India Muslim League met to consider the situation. After a number of years a large number of Muslim leaders of different schools of thought were again seen on the same platform. Mr Jinnah was unanimously re-elected President after a lapse of five years. He made serious efforts to convince the different Muslim groups that the League was the only organisation which could safeguard the interests of the Muslims and deliver the goods. The Council resolved "to accept the Communal Award so far as it goes until a substitute is agreed upon by the various communities and parties to secure such future constitution for India as would be acceptable to the country." It also decided that the constitution of the All-India Muslim League be revised to suit the prevailing political conditions of the country and to strengthen and revive its provincial branches.

After the conclusion of the meeting of the League Council, Mr Jinnah in the course of a press interview made a strong plea for Hindu-Muslim understanding. He said: "After two days' deliberations of the Council meeting which was the most representative I have seen during my connection with the League, extending for more than twenty years, I must say that I was immensely impressed with most of the speeches made there by

the various leaders, who had come from different provinces in India. To condemn the White Paper, one does not require argument or reasons, but one has only got to read White Paper proposals and understand them. While many of us feel that this treacherous scheme is almost at our door—and I for one have not hesitated to declare my views with regard to the scheme—the problem of problems which still confronts us is how to avert its being foisted upon India. That cannot be achieved and will not be achieved unitl there is unity between Hindus and Muslims. Nothing will give me greater happiness than to bring about complete co-operation and friendship between Hindus and Muslims and in this desire my impression is that I have the solid support of the Muslims. . . .

"The emphasis which the Muslims place on the Communal Award is only an indication of their desire to make sure that any national demand, which they join to put forward on behalf of the country, will incorporate the safeguards which the Muslims consider as the minimum. The Muslims are in no way behind any other community in their demand for national self-government. The crux of the whole issue, therefore, is whether we can completely assure Muslims that the safeguards to which they attach vital importance will be embodied in the future constitution of India."[6]

Even "Nationalist" Muslims, who were associated with the Congress, showed high regard for Mr Jinnah's integrity and leadership. For instance, Mr Asif Ali of Delhi, who attended the League Council meeting, said in the course of his speech: "Mr. Jinnah is a man of principles. Nationalist Muslims and I have only a difference of opinion with him. We hope, under Mr. Jinnah's leadership, the doors of the League will be open for everyone. It is only in this hope and on account of Mr. Jinnah's return to the League that my friends and I are present here to witness the change of heart. Mr. Jinnah is the only man who is respected by all, because he desires that India should move on the path of prosperity."[7]

After the League Council meeting Mr Jinnah again left for

6. M. H. Saiyid, *M.A. Jinnah: A Political Study*, pp. 314-5.
7. Mohammed Amin Zuberi, *Siyasat-i-Milliya*, pp. 277-8.

England to wind up his affairs there. Meantime the elections to the Indian Legislative Assembly came off in the autumn of 1934. The Muslims of Bombay prevailed upon Mr Jinnah to agree to his election from Bombay city—his old constituency. The sitting member of the Assembly, Sir Rahmatullah Chinoy, himself proposed Mr Jinnah's name and he was elected unopposed to the Assembly on the 11 October 1934.

After the three sessions of the Round Table Conference at London in 1930, 1931, and 1932, a Joint Committee of the two Houses of Parliament considered the detailed porposals which had emerged from the deliberations of the Conference and made its own report. The Central Legislative Assembly of India was afforded an opportunity to discuss and express opinion on the Joint Parliamentary Committee's Report on a motion for consideration made by the Home Member of the Government of India on 4 February 1935. The leader of the Congress Party, Mr Bhulabhai Desai, moved an amendment to the official motion to the effect that, as the proposed new constitution had been "conceived in a spirit of Imperialist domination" and would transfer "no real power to the people of India," it should not be introduced. His amendment obviously purported to be an outright rejection of the new constitutional scheme in its entirety.

The next important group in the Assembly was the Independent Party, whose leader was Mr M.A. Jinnah. The position was that the Congress Party had a membership of 44, Congress-Nationalist Party 11, Independent Party 22 out of which 18 were Muslims. The Government could count on the support of 50 members; the two Congress groups together had a strength of 55. The balance thus lay in the hands of the Independent Party.

True to his reputation for rational thinking and pragmatic approach to problems, Mr Jinnah moved an amendment to the official motion in three parts. The first part accepted the Communal Award until a substitute was agreed upon by the various communities concerned. The second part characterised the scheme of Provincial Government as "most unsatisfactory and disappointing" as it contained many features which rendered the real control and responsibility of the Executive and Legislature

ineffective and opined that, unless these features were removed, it would not satisfy any section of Indian opinion. The third part condemned the scheme of the so-called "All-India Federation" as fundamentally bad and totally unacceptable to the people of British India and called for steps to review the whole position in consultation with Indian opinion with a view to establishing in British India alone "a real and complete Responsible Government".

Moving his amendment, Mr Jinnah made a weighty and convincing speech notable for forensic eloquence and cogent reasoning. With regard to the Communal Award, he said that he was not satisfied with it and his self-respect would never be satisfied until they produced a scheme of their own. They had done everything they could to come to a settlement, but he argued, "Whether I like it or I do not like it, I accept it, because unless I accept that no scheme of constitution is possible."[8] He pleaded that they must face the question of minorities as a political problem and not evade it.

Mr Jinnah opposed the scheme of All-India Federation for various reasons—it was devoid of all the basic and essential elements and fundamental requirements necessary to form any federation; it proposed the entry of Princes on terms and conditions which were most detrimental to the vital interests of British India; so many safeguards, statutory, financial and commercial, had been laid down that there was hardly any element of responsibility left, and it was a device to withhold responsibility at the Centre.

Referring to the Provincial scheme, Mr Jinnah admitted that it was an advance on the existing position because the franchise had been extended, all members of the Provincial Legislatures would be elected, the Cabinet would be composed of elected members responsible to the Legislature. He, however, pointed out the objectionable features in the Provincial scheme—the Second Chambers, the extraordinary and special responsibilities and powers of Governor, the rules with regard to the Police and Intelligence Departments. He demanded modifications in the scheme to satisfy Indian opinion, but he could not say he was so

8. *Speeches and Writings of Mr Jinnah*, op. cit., p. 4.

fundamentally opposed to it as to reject it. Mr Jinnah concluded his speech with the remark: "Modify the Provincial scheme, drop the Central scheme, and review the whole position in consultation with Indian opinion with a view to establishing complete responsible government in British India."[9]

After the conclusion of the debate, Mr Jinnah's skill as a parliamentary strategist was revealed. The first part of his amendment relating to the Communal Award was carried by 68 votes to 15, Government supporting and Congress remaining neutral, because of their declared non-committal stand on the Award. The second and the third parts of the amendment regarding the Provincial scheme and the All-India Federation too were carried by 74 votes to 58, Congress supporting and Government opposing. Thus, Mr Jinnah was successful in securing the endorsement of the Assembly for all the three points he had made. His stand clearly was in the interests not only of the Muslims but of India as a whole. He not only proved to be a strategist but also a wise, practical politician. The Communal Award did not meet the Muslim demands in certain important respects, but unless it were accepted as an interim measure, no advance was possible. The Award at least recognised the separate existence of the Muslims as a political entity. To have secured the Assembly's approval for the Award was of advantage to the Muslims. The outright rejection of the scheme of All-India Federation was in the interests of both British India as a whole and of the Muslims. The Provincial scheme at least deserved a trial. Mr Jinnah's approach was realistic; the Congress's was not. The Congress leaders talked of "combating" the Act and "wrecking" the Constitution, but ultimately they tumbled into it and worked the Provincial scheme, though they did it in a manner which accentuated bitterness and conflict. The outcome of this debate in the Assembly may be said to have signalised that phase of Mr Jinnah's leadership which placed him in a key position as the Quaid-i-Azam of the Muslim nation.

9. Ibid., p. 21.

CHAPTER ELEVEN

JINNAH-PRASAD TALKS AND SHAHIDGANJ DISPUTE

Actuated by an earnest desire to bring about a friendly settlement, Mr Jinnah entered into negotiations with the then Congress President, Babu Rajendra Prasad, in January 1935. The talks took place at the house of Dr M.A. Ansari in Delhi. The idea was to find a mutually agreed substitute for the Communal Award which had continued to be a subject of bitter controversy. The talks remained inconclusive and no statement was issued.

To anticipate events, after the general elections to the Provincial Assemblies, the Congress leaders launched a propaganda campaign to the effect that a formula for the settlement of Hindu-Muslim question had been evolved as a result of Jinnah-Prasad talks, and Babu Rajendra Prasad had offered to get it ratified by the Congress, implying thereby that the responsibility for failure to reach agreement lay with Mr Jinnah. He refuted these allegations and narrated the whole story of the negotiations in a closely reasoned statement dated 26 July 1937. He said: "In what he [Babu Rajendra Prasad] characterises as a 'sporting offer' he makes another statement which is absolutely incorrect and without foundation. He says: 'I am making a sporting offer to Mr. Jinnah, that I offer to get the formula accepted by the Congress even to-day if he offers as he had done, then to get signatures to it of all Musalman leaders barring one or two whom he had named to me.' It is a conditional offer devoid of any sporting spirit. In the first place I never offered to get signatures to Babu Rajendra Prasad's formula of all Muslim leaders barring one or two whom I had named or any leader. Babu Rajendra Prasad has forgotten the genesis of our

conversations. I was requested by Babu Rajendra Prasad and other Congress leaders to meet him, and the question was how to put an end to the bitter controversy that was raging at the time over the Communal Award until a substitute was agreed upon between the communities concerned, and that we should utilise the Provincial Constitution for what it was worth and carry on our united struggle until we secure a constitution for our country which will satisfy our people. This was not acceptable to Babu Rajendra Prasad and his friends. Next, it was suggested that if they could propose a substitute on the basis of joint electorate which would be more in the interest of Musalmans than the Communal Award, would I then consider it? I naturally said, if any such proposal came with the universal support of the communities concerned, namely, the Hindus and Sikhs, I would place it before the session of the All-India Muslim League without delay."[1]

Mr Jinnah was prepared to meet Babu Rajendra Prasad and discuss matters with him and had also written to him. But Babu Rajendra Prasad issued a tendentious statement regarding his so-called offer. Mr Jinnah pointed out that if a settlement was desired this was not the proper course. He said: "It is somewhat astonishing that Babu Rajendra Prasad should have adopted the method, the manner, and the channel of approach, through which he flung this 'sporting offer', with regard to an issue which involves the fate and the future of eighty millions of Musalmans and the country at large. In all seriousness I appeal to him, does he think that this is the right way to open negotiations, through the channel of the press for the settlement of this vital and far-reaching question?... Surely, if a substitute for the Communal Award which the Musalmans have already accepted is to be proposed, it can only come from the Hindu and Sikh leaders who are opposed to it and the two communities directly concerned. I can repeat now that what I said when we commenced our talks at Delhi in January 1935, that if Babu Rajendra Prasad is so sure of getting the Congress to adopt his formula as a substitute for the Communal Award, and informs me to that effect with the authority and sanction of the Congress, I will place it before

1. Jamil-ud-Din Ahmad, Ed., *Speeches and Writings of Mr. Jinnah.*

the All-India Muslim League without delay."[2]

He then asserted that the sudden change of front adopted by the Congress and the reports about a few Muslims in the U.P. threatening to leave the Muslim League if Babu Rajendra Prasad's demands were not met, led him to suspect that it was not a genuine desire for an honourable settlement but was an attempt to split the Muslim League and strike a blow at unity among the Musalmans for which Mr Jinnah had been working.

Babu Rajendra Prasad's claim that he had made a sporting offer to get the "formula" accepted by the Congress is further exposed by a statement issued by seven Bengali Hindu leaders on 15 July 1937. They joined issue with Babu Rajendra Prasad and asserted that "not to speak of Panditji [Pandit Malviya] even Bengal M.L.A.'s and ourselves in our discussions with Babu Rajendra Prasad expressed our unqualified disapproval of his formula."[3] They further asserted that "Congress opinion in Bengal was decidedly against the Jinnah-Prasad formula" and "it is, therefore, not a fact that there was absolutely no difference among Congressmen on this question."[4]

It is thus clear that another earnest effort for Hindu-Muslim settlement failed on account of Congress equivocation and Hindu obduracy.

Shahid Ganj Mosque

Early in 1936, Mr Jinnah was called upon to tackle a situation in the Punjab which threatened to disturb the peace of the province. A mosque had gone under adverse possession of the Sikhs during the shortlived Sikh rule in the Punjab. In June 1935, bands of Sikhs from all parts of the province began to pour into Lahore and the rumour spread that they wanted to demolish the Shahidganj mosque. A deputation of Muslim leaders met the Governor, Sir Herbert Emerson, and asked him to place the mosque under the custody of the Archaeological Department and, in the meantime, impose Section 144 so as to prevent demolition of the mosque. The Governor put off the matter. The

2. Ibid., p. 23.
3. Quoted in M.A.H. Ispahani's book *Quaid-i-Azam Jinnah as I Knew Him*, p. 154.

Muslim leaders met the Sikh leaders who assured them that no damage would be done to the mosque until the Muslims' proposal had been fully considered by the Shiromani Gurdwara Prabandhak Committee. While the negotiations were going on the Sikhs suddenly began to pull down the mosque on the night of 4 July under the protection of the Police and armed soldiers who had been posted to prevent the Muslims from checking the Sikh vandalism.

Deeply stirred by this sacrilege, the Muslims, without any prior planning, proceeded towards the mosque and were repeatedly fired upon, many of them being killed. The Muslim leaders, headed by Maulana Zafar Ali Khan, were thrown behind the bars. The agitation passed into the hands of the Muslim youth and thousands of them courted arrest in batches. At this time several "Unionist" Muslim stalwarts held positions of authority and influence in the Government of the Punjab and in the Viceroy's Executive Council too the Muslim representative was the leader of the Unionists, Sir Fazl-i-Husain. But none of them moved a little finger to help the Muslims in their genuine struggle to vindicate the sanctity of a mosque—a deeply cherished religious right.

The only Muslim leader who showed practical sympathy to the Muslims of the Punjab in their hour of distress was Mr Mohammad Ali Jinnah. On 20 February 1936, he visited Lahore to help the Muslims find an honourable solution of the Shahidgunj mosque dispute. He met the leaders of the movement for the restoration of the mosque. He also saw the Governor who promised that if the Muslims discontinued civil disobedience and adopted constitutional methods for restoration of the mosque he would release the arrested persons. The Muslims accepted Mr Jinnah's advice to suspend civil disobedience whereupon all the Muslims arrested in this connection were set at liberty.

Mr Jinnah had discussion with the Sikh leaders also and convinced them that Sikh-Muslim friction was not in the interests of the country or the Muslims or the Sikhs. His earnest pleading so impressed the Sikh leaders that they even took him to inspect the mosque. He succeeded in his immediate objective of restoring a peaceful atmosphere and persuading both the Muslims and the Sikhs to seek a solution of the dispute by

peaceful and constitutional means. His sincere efforts were widely appreciated by all sections of the people of the Punjab—Sikh, Hindu and Muslim—who combined to honour him at public meetings and eulogised his services.

Before leaving Lahore on 7 March 1936, Mr Jinnah announced the formation of a Conciliation Committee consisting of Hindu, Sikh and Muslim members to bring about an amicable settlement of the dispute. In a statement he stressed the need of communal harmony and continued efforts to bring about reconciliation at an early date and assured the Committee of his full support. It was, indeed, a remarkable achievement, as *The Civil & Military Gazette* remarked, that his advice was followed by the two contending parties—Muslims and Sikhs—because of his undoubted integrity and sincerity. Even the Governor of the Punjab, Sir Herbert Emerson, paid a tribute to Mr Jinnah in the course of a public speech as follows: "I am greatly indebted to the efforts of Mr. Jinnah for this improvement [in the situation] and I wish to pay an unqualified tribute to the work he has done and is doing. Mr. Jinnah succeeded in his first task, namely, bringing the Muslim agitation to strictly constitutional and legal lines, and thus made it possible for Government to take action for which they had been awaiting an opportunity. There remained the second part of his task. It is no secret that so far his efforts have not been crowned with success but that does not mean that they have failed. His efforts continue, and in several respects they are being carried on in conditions far more favourable than when they began."[5]

Unfortunately the Sikhs did not show willingness to reach an amicable settlement. The Muslims filed a suit in the Sessions Court for restoration of the mosque, but the judgement went against them. They also lost the appeal against the judgement in the High Court on technical grounds. The stalemate continued. After Independence when power came into their hands the Muslims could have taken possession of the Shahidganj mosque. But it is a measure of their magnanimity that they turned it into a protected monument.

5. M.H. Saiyid, op. cit., p. 334.

CHAPTER TWELVE

GOVERNMENT OF INDIA ACT, 1935, AND THE PROVINCIAL ELECTIONS

In the summer of 1935, the Government of India Act, based on the recommendations of the Joint Parliamentary Committee, was passed by the British Parliament. The Act embodied the Communal Award and provided for provincial autonomy even though hedged round by some limitations. This was to be followed by establishment of a Federation of British Indian provinces and Indian Princely states upon fulfilment of certain conditions. The Federation envisaged in the Act was centripetal in spirit and character, as representation in both Houses of the Federal Legislature was to be based on population and not, as in all other Federations, on the equal representation of the federating units in one house, and "residual powers" were to be allotted by the Governor-General at his discretion. This was a concession to "Unitarianism" favoured by the Hindu majority. The presence of the Princes and their representatives, most of whom were Hindus, would have farther weighted the Federal Legislature and the Federal Executive in favour of the Hindu majority. Dyarchy was removed from the provinces but introduced at the Federal Centre.

In 1934, Mr Gandhi had renounced his formal membership of the Congress. Perhaps this made it easier for other Congress leaders to modify their policy of non-co-operation. The Congress contested the elections to the Central Legislative Assembly in the autumn of 1934 and won 44 seats. The Congress Party led by Mr Bhulabhai Desai and the Independent Party (mostly Muslim) led by Mr Jinnah often co-operated in the Assembly and voted down Government measures, so that on a number of

occasions, the Governor-General had to use his power of "certification". The gesture of goodwill and co-operation made by Mr Jinnah, however, was not appreciated by the Congress leaders and they did not carry co-operation to the general political field and the provincial sphere. In 1936 and 1937, Mr Jawaharlal Nehru was President of the Congress. He propounded the doctrine of revolutionary nationalism and condemned the 1935 Act as "a new charter of slavery" which must be rejected root and branch. He did not oppose Congress's participation in the forthcoming Provincial elections but he strongly disapproved of the Congress taking part in any Provincial Government, saying, "It would be a fatal error for the Congress to accept any office. That would inevitably involve co-operation with the British Imperialism."[1] Many Congressmen, however, seemed to harbour a desire to get control of the Provincial administration.

Outwardly the election manifesto adopted by the Congress endorsed Mr Nehru's view that it would enter the Provincial Legislatures not to co-operate in any way with the Act but "to combat it and seek the end of it," but it postponed a decision on the question of acceptance of office till after the elections. On the Hindu-Muslim question the Congress adopted an equivocal attitude. While condemning the Communal Award as inconsistent with democratic principles and disruptive of Indian unity, the Congress confessed that a "satisfactory solution of the communal problem can come only through the goodwill and co-operation of the principal communities concerned."[2] In effect, this attitude meant nothing, especially when the Congress was not prepared to take any positive steps to seek a solution acceptable to the communities concerned.

The Congress with its vast organisation and the financial backing provided by Hindu Big Business conducted its election campaign on an emotional plane—an appeal to anti-British sentiment and to "vote for Gandhi" who had by this time become somewhat of a deity in Hindu eyes. Of the 1585 seats in all the Provincial Assemblies, the Congress won 711 seats, i.e. 45% of the total. In five provincies—Madras, the U.P., the C.P. and

1. R. Coupland, *India: A Restatement.*
2. Ibid.

Orissa—it obtained clear overall majorities. In Bombay, it won nearly half the seats but could rely on some pro-Congress groups to give it a majority. In Assam, it was the single biggest group with 35 seats out of 108. But the Congress's failure to win any appreciable number of Muslim seats was as striking as its success in Hindu constituencies. Of the 482 Muslim seats the Congress contested 58 and won only 26, i.e. 5·4% and most of these seats were in N.-W.F.P. where the Red Shirts had made common cause with the Congress. In the Muslim-majority provinces of Bengal, the Punjab and Sind, the Congress won 60 out of 250, 18 out of 175 and 8 out of 60 seats, respectively, most of them being Hindu seats.

On the other hand, the Muslims unfortunately were not in a state of preparedness to play their part and make full use of the opportunities available under the new political dispensation. No doubt, a certain number of points considered necessary by the Muslims for the protection of their interests had been partially conceded in the scheme of the Act. For instance, separate electorate with weightage for Muslims in the Hindu-majority provinces had been retained; Sind had been separated from Bombay and constituted into a separate province; and North-West Frontier Province raised to the status of a self-governing province. But the representation of the Muslim majorities in the Legislative Assemblies of the Punjab and Bengal had been reduced to slightly less than 50%. However, they could, if properly organised, form Ministries with the help of some minority elements in these two Provinces. Provision of some statutory safeguards by itself could be no guarantee that the Muslims would be able to improve their position and protect their interests. What was required was political organisation and a clear-cut policy and programme on an all-India basis.

The Muslims' position as an all-India entity had been recognised under the Communal Award which was its only good feature from their point of view. Not only their short-term but also long-term interests required that they should function as a united community and distinct entity throughout India. They could, of course, co-operate and even coalesce with other elements in a body politic on the basis of programmes which might be mutually

agreed upon. This was the logical course dictated by the provisions of separate electorate and the recognition of the separate identity of the Muslims. The general condition prevailing in the country and the attitude of the Hindu majority also underlined the necessity of unity in Muslim ranks. Only a limited amount of power had been transferred in the provincial field, but the larger and more important question of constitutional reform at the Centre and the transfer and distribution of sovereign political power among the various elements of the body politic remained to be settled. This again made it absolutely essential that the Muslims must act as a united force in order to win their proper place in the future dispensation.

For the first time, elections were going to be held on the basis of extended franchise in a large number of provinces, followed by formation of Ministries responsible to elected legislatures. Elections of this nature presupposed formation of political parties with well-defined policies and programmes. There was some realisation of this need on the part of the Muslims who at that time were hopelessly scattered and disorganised. There was a multiplicity of parties and groups among them, for instance, Jamiat-ul-Ulema, Ahrar, Ittihad-i-Millat, Shia Conference, Momin Conference, the Red Shirts, the Unionists, the Krishak Proja and so on. None of these parties had any traditions of sound political activity or solid service to the Muslim nation. They were at best sectional or provincial groups interested in ephemeral issues or promoting class or sectional interests. The only organisation which had a broad outlook, a national basis and a tradition of constructive political work was the All-India Muslim League. It had fallen on evil days after Mr Jinnah's resignation from its presidentship in 1929. Since then it had passed through many vicissitudes. The Muslims all over the country felt helpless and frustrated. They were sending frantic messages to Mr Jinnah to return from England where he had temporarily settled because of his bitter experience of Muslim apathy and disunity and Hindu obduracy and truculence. At last he relented and was prevailed upon to return to India to resume the leadership of the Muslims. As mentioned before, he was elected unopposed to the Central Legislative Assembly from Bombay in the autumn of 1934 and was also re-elected as

President of All-India Muslim League.

With the approach of the provincial elections, there was a general feeling in Muslim circles that the various groups should unite and the Muslim League as the oldest organisation of the Muslims should give a lead. Mr Jinnah was watching the trend of events. He knew better than anyone else that, unless the Muslims united under one banner and on one platform, they could take no advantage even of the inadequate safeguards provided for them in the Constitution. The elections were to be held on the basis of separate electorates. It was obvious that Muslim representatives could function effectively only if they were returned on the ticket of a Muslim organisation pledged to work under party discipline to promote a policy and programme. There was some realisation of this political axiom in Muslim circles, and even such organisations as the Ahrar and the Jamiat-ul-Ulema were showing some concern for Muslim unity. All eyes were rivetted on Mr Jinnah who, with his political acumen and long and unblemished record of selfless service and ardent patriotism, was considered the fittest person to forge unity in Muslim ranks with a view finally to bringing about amity and co-operation between Muslims, Hindus and others, leading to the attainment of complete freedom and independence for all elements of the Indian body politic.

Mr Jinnah was invited to attend the Conference of the Jamiat-ul-Ulema, held at Delhi in the beginning of April 1936. Although it was a gathering mainly of Ulema, Mr Jinnah's speech on the occasion was heard with rapt attention. Explaining the policy which, in his opinion, the Muslims should follow in the context of introduction of constitutional reforms, he asserted that they were not a negligible community and had to play a very prominent part in the near future. He pointed out that for the first time a representative government was being established in India which, in other words, meant rule of the majority, and naturally minorities were apprehensive as to what the majorities would do. Power and authority were likely to intoxicate people; therefore, safeguards were essential for minorities in any scheme of a democratic constitution. He appealed for putting an end to the controversy over the Communal

Award, and he hoped they would be able to produce a better settlement. They had to move on and apply their minds to larger questions affecting India.

Reiterating his opposition to the Federal scheme, Mr Jinnah declared: "We will fight until we have that replaced by a constitution which we think is the right one. We must think of the interests of our community. Unless you make the efforts, you will fail and will command no respect and nobody will bother to consult you. Organise yourselves and play your part. There is nothing wrong in working for one's own community. The Hindus and the Muslims must be organized separately, and once they are both organized they will understand each other better, and then we will not have to wait for years for an understanding. Do not listen to taunts. I am helping eighty million people and if they are more organized they will be all the more useful for the national struggle."[3] Mr Jinnah concluded by appealing to the Hindus to inspire confidence and a sense of security among the Muslims.

Having carefully considered the situation in all its bearings, Mr Jinnah intended to convene a session of the Muslim League in 1935. He wrote to Sir Fazl-i-Husain inviting him to preside over the session. But Sir Fazl-i-Husain declined the invitation, as his plans were confined to securing power in his own province under the label of a non-communal party. Mr Jinnah then called a session of the All-India Muslim League to decide the future course of the Muslims of India at Bombay in April 1936. It was held under the presidentship of Syed Wazir Hasan who at one time (1912-18) had been General Secretary of the All-India Muslim League. The Government of India Act had, by this time, been passed. The League was not a whit less emphatic in denouncing its retrograde features, especially its Federal part. In a strongly worded resolution, the League protested against forcing the constitution upon the people of India against their will. It declared that the All-India Federal Scheme of the Central Government being fundamentally bad, most reactionary, retrograde, injurious and fatal to the vital interests of British India *vis-a-vis* Indian states, was calculated to thwart and indefi-

3. M. H. Saiyid, op. cit., pp. 336-7.

nitely delay the realisation of India's most cherished goal of complete responsible government and was totally unacceptable. As for the Provincial part of the Constitution, the League took a line which was more realistic than that of the Congress. Considering the conditions prevailing in the country, the League recommended that the Provincial scheme should be utilised for what it was worth, in spite of the objectionable features contained therein.

In keeping with its view of the Provincial scheme the League decided to contest the coming elections as a party and to set up a regular machinery for the purpose. It adopted the following resolution moved by Raja Ghazanfar Ali Khan: "Whereas the Parliamentary system of Government which is being introduced in this country with the inauguration of the new constitution presuposes the formation of parties with a well-defined policy and programme which facilitate the education of the electorate and co-operation between groups with approximate aims and ideals and ensures the working of the constitution to the best advantage, and whereas in order to strengthen the solidarity of the Muslim community and to secure for the Muslims their proper and effective share in the Provincial Governments, it is essential that the Muslims should organize themselves as one party, with an advanced and progressive programme, it is hereby resolved that the All-India Muslim League do take steps to contest the approaching provincial elections and for this purpose appoint Mr Jinnah to form a Central Election Board under his presidentship consisting of not less than 35 members, with powers to constitute and affiliate Provincial Election Boards in various provinces having regard to the conditions of each province, and devise ways and means for carrying out the aforesaid objects."[4]

The League had entrusted Mr Jinnah with a very heavy responsibility and onerous task. But he rose to the occasion. In spite of his advanced age and frail physique, he undertook long tours and held consultations with leaders of various groups in different provinces. He had two ideas in mind—to unite the various Muslim groups on one platform; to make the League a

4. *Resolutions of All-India Muslim League*, pp. 67-8.

live and progressive body pledged to work for the uplift of the masses and the attainment of independence in co-operation with other parties. As authorised by the All-India Muslim League, Mr Jinnah constituted a Central Parliamentary Board representing different sections of Muslim public opinion with a majority, however, of those who were generally regarded as "nationalist" and "progressive". Prominent among the members of the Board were Mr Fazl-ul-Haq, Maulana Akram Khan, Mr M.A.H. Ispahani, Mr Abdur Rahman Siddiqui (Bengal); Syed Murtaza Sahib, Mr Abdul Hamid Khan (Madras); Nawab Ismail Khan, Mr Liaquat Ali Khan, Chaudhri Khaliquzzaman, Maulana Shaukat Ali, Raja Sahib of Mahmoodabad and Maulana Husain Ahmad (U.P.); Syed Abdur Rauf, Mr Yusuf Sharif (C.P.); Mr Abdul Matin Chaudhri (Assam); Shaikh Abdul Majid Sindhi, Mr Hashim Gazdar (Sind); Maulana Allah Bakhsh Yusufi, Malik Khuda Baksh (N.-S.F.P.); Sir Mohammad Iqbal, Mian Abdul Aziz, Maulana Abdul Qadir Qasuri, Raja Ghazanfar Ali Khan, Shaikh Hissam-ud-Din, Chaudhri Afzal Haq (Punjab); Maulana Ahmad Said (Delhi); Sir Sulaiman Cassim Mitha, Mr Abu Bakr Beg Mohammad, Mr I.I. Chundrigar (Bombay).

The personnel of the Board showed that "reactionary" elements who had so far exploited the Musulmans were kept out. The Board held its first meeting at Lahore on June 8, 1936 and subsequent dates at the house of Mian Abdul Aziz, Bar-at-Law and later at Nedou's hotel. Dr Iqbal, though ill, attended the meeting. The Board laid down the following general principles for the guidance of the Muslim League representatives in the legislatures: (1) That the present provincial constitution and the proposed Central constitution should be replaced immediately by full democratic self-government. (2) In the meantime representatives of the Muslim League in the various legislatures will utilize the legislatures in order to extract the maximum benefit out of the constitution for the uplift of the people in the various spheres of national life. The Muslim League party must be formed as a necessary corollary so long as separate electorates exist, but there would be free co-operation with any group or groups whose aims and ideals are approximately the same as those of the Muslim League to work for the following objectives:

(1) To protect the religious rights of the Musulmans. In all matters of purely religious character due weight shall be given to the opinion of Jamiat-ul-Ulema-i-Hind and the Mujtahids.

(2) To make every effort to secure the repeal of all repressive laws.

(3) To resist all measures which are detrimental to the interest of India, which encroach upon the fundamental liberties of the people and lead to economic exploitation of the country.

(4) To reduce the heavy cost of administrative machinery, central and provincial, and allocate substantial funds for nation-building departments.

(5) To nationalize the Indian Army and reduce the military expenditure.

(6) To encourage development of industries including cottage industries.

(7) To regulate currency, exchange and prices in the interest of economic development of the country.

(8) To stand for the social, educational and economic uplift of the rural population.

(9) To sponsor measures for the relief of agricultural indebtedness.

(10) To make elementary education free and compulsory.

(11) To protect and promote Urdu language and script.

(12) To devise measures for the amelioration of the general conditions of the Muslims.

(13) To take steps to reduce the heavy burden of taxation.

(14) To create a healthy opinion and general political consciousness throughout the country.

It was a full-blooded nationalistic programme on the basis of which Congress-League co-operation was not only desirable but feasible. If it did not eventually materialise, it was no fault of the Muslim League.

CHAPTER THIRTEEN

MUSLIM LEAGUE AND THE PROVINCIAL ELECTIONS

The Muslim League's Central Parliamentary Board had made a good start, but it soon ran into difficulties. It seemed that some of the groups, particularly individual leaders, were not yet sufficiently alive to the need of organising the Muslims as a united political entity and still thought in terms of individual, sectional or provincial interests, and their only aim seemed to be somehow to capture Ministerial posts. This became particularly evident in so far as the Muslim-majority provinces were concerned. Mr Jinnah visited Calcutta at the invitation of Messrs. M.A.H. Ispahani and Abdur Rehman Siddiqui and addressed a meeting of leading Muslims belonging to different groups. He explained the political situation and the significance of the coming elections especially their bearing on the future of the Muslims in the subcontinent. He made an earnest plea for forging unity in Muslim ranks and contesting the elections from a common platform. His efforts to bring about complete unity were not immediately successful, but the leaders of the United Muslim Party like Khawaja Nazimuddin, Mr Suhrawardy, Nawab Musharraf Husain, Sir A.F. Rahman and Nawab Habibullah responded to Mr Jinnah's call, and agreed to merge their party in the Muslim League and contest elections under the League's Parliamentary Board.

Unfortunately Mr Fazl-ul-Haq and his followers at the last moment dissociated themselves from the move for unity. They demanded the inclusion of the following two items in the League's election manifesto—(1) Zamindari should be abolished without compensation, (2) compulsory free primary education

should be introduced without any new taxation. The Muslim League's position was that it agreed to abolition of Zamindari but with compensation; it also approved of compulsory free primary education, but it believed that tax or cess would have to be levied for the purpose. The League's stand was realistic and it could not adopt vote-catching slogans which, it knew, could not be implemented. Mr Fazl-ul-Haq, thereupon, floated his own Krishak Proja Party. There were thus three groups fighting the elections—Muslim League, Krishak Proja and Independents. Considering the short time at its disposal and its inadequate organization, the Muslim League did not do badly in the elections. It emerged as the biggest single group with 40 seats. Krishak Proja won 38 seats and Independents 41.

After the elections there was again a move for reuniting the various groups, for it was realised that without such unity the Muslims could not take advantage of their strength in the Assembly. Observing the turn of events, Mr Fazl-ul-Haq along with his followers rojoined the Muslim League, and in the interest of unity, the members elected on the League ticket together with Mr Haq's followers and independent members totalling 112 agreed to accept Mr. Fazl-ul-Haq as leader of the reunited Muslim League Party. A Ministry was formed with Mr Fazl-ul-Haq as Chief Minister.

Mr Jinnah made a special effort to enlist co-operation of leading Muslims in the Punjab which, besides Bengal, was a province of major importance. Here the biggest hindrance was a coterie of feudal elements and moneyed classes known as the Unionist Party. Dr Ashiq Husain Batalvi in his book "Iqbal Ke Akhri Do Sal" exposes the Unionist Party as follows: "Whenever there was any sign of political awakening among the people (in the Punjab) the leaders of the Unionist Party in collusion with the Governor of the province crushed it. This was a monopoly concern of some big landlords of the province. Taking advantage of this monopoly, these men, on the one hand, established a tradition of flattery and sychophancy, and on the other, they claimed to be representative of the people and thus enriched themselves through exploitation. The greatest harm they did was to split the Muslims into urban and rural classes and stretch

the division to such an extent that the two classes looked upon one another as enemies."[1]

Referring to this unnatural division in the ranks of the Muslims, Dr Iqbal, in the course of a speech at the annual session of Anjuman-i-Himayet-i-Islam at Lahore in 1935, observed: "It is most regrettable that the rural-urban tussle going on in the Punjab has the support of Sir Fazl-i-Husain. In the beginning, he got the leadership not because he belonged to the rural areas but because he was a leader of the Muslims. After obtaining leadership he deliberately fomented the rural-urban conflict, so that his position might be secure. Taking advantage of this conflict, he selected as his colleagues some incompetent and third-class men who were absolutely unfit to govern and who lacked even the capacity to keep up the dignity and prestige that goes with ministerial office. As a result, these third-class men who owe their present glory to Fazl-i-Husain have begun to look upon him as a superman because of their own inferior capacities. Some Government officials too supported this policy, because they could thus break the effectiveness of the 1919 Reforms. The outcome of these causes and forces was that true leadership became extinct among the Muslims and the political field has gone into the hands of some exceedingly worthless fortune-hunters."[2]

The Unionist Party was preparing to contest elections under the leadership of Sir Fazl-i-Husain who had returned to the Punjab after retirement from membership of the Viceroy's Executive Council. It may be recalled that throughout his life, Sir Fazl-i-Husain had opposed joint electorate on any terms whatsoever and had insisted on separate electorate of the Muslims. He was now nullifying the whole spirit underlying the principle of separate electorate and refusing to act up to its logical implications. He became the champion of the idea of contesting elections on non-communal lines on the ticket of a non-communal party based on a so-called economic programme. Mr Jinnah met Sir Fazl-i-Husain and tried his best to convince him of the need of the Muslims uniting on the platform of the Muslim League. He

1. Ashiq Husain, Batalvi, *Iqbal Ke Akhri Do Sal*, p. 301.
2. Ibid., pp. 270-71.

wanted the Muslims of the Punjab to contest elections on the ticket of the Muslim League and then to form a Ministry in co-operation with those elements who had a similar programme. Sir Fazl-i-Husain's contention was that the Muslims had only 51 per cent seats in the Assembly and, unless they had the support of a sizable section of non-Muslims, they could not form a Ministry. Before entering the Assembly he had formed a mixed party with the help of Chaudhri Chhotu Ram as if ministry-making were the only object worth pursuing.

Mr Jinnah knew well that the Muslims of the Punjab had not been allocated seats in proportion to their population, and they would have to seek support of some non-Muslim members. They would be in a better position to secure such support if they were a united entity. Mr Jinnah was reported to have told Sir Fazl-i-Husain: "There is no objection to your co-operating with Chaudhri Chhotu Ram. But elections should be contested in the name of the Muslim League and not any mixed party, so that the Muslims might retain their identity as a separate group within the Assembly. So long as there is separate electorate, the Muslims cannot but form a separate party. If you believe in contesting elections in the name of a mixed party, why do you object to joint electorate? Moreover, why should not the Muslims join hands with the Congress which is certainly a more progressive party?"[3] But all the cogent reasoning and earnest pleading of Mr. Jinnah fell on deaf ears. As subsequent events proved, Sir Fazl-i-Husain's obdurate attitude caused grave injury to the interests of the Muslims, as it prevented them from forming a Ministry which would truly represent them and reflect their position as the majority community in the province. The Muslim interests suffered due to Hindu and Sikh machinations in the Unionist Party and the Unionist Ministry. Moreover, the Muslims of the Punjab for several years were unable to pull their full weight behind the Muslim freedom struggle on an all-India plane. The Unionist Party had the blessings of the British Governor and the support of the official machinery. It collected large sums of money from big landlords. In his zeal to defeat the efforts of the League to organise the Muslims of the Punjab on progressive lines and to

3. Batalvi, op. cit., pp. 305-6

bolster the feudal organisation, i.e. the Unionits Party, Sir Fazl-i-Husain asked for and obtained financial support even from the Aga Khan in 1935. He wrote to the Aga Khan as follows: "The way it is proposed to utilise funds is to give monthly subsidies to vernacular papers which definitely are or would become party papers. In the subsidy being monthly full value is necessarily assured. The second way in which money is to be utilised is to have a few very good, well-informed journalists—English and vernacular—writing for the Press, and the organisation will see that their contributions are accepted. Thirdly, publication of pamphlets and leaflets, and lastly communications in the nature of summaries of local news to be sent to England."[4] He received a favourable reply from the Aga Khan who wrote to say, "My agents have sent you the first part of my grant, i.e. Rs. 10,000 due to my horse Mahmud winning the Derby, otherwise I shall not have been able financially to help you. The second part I will send at the end of August or early September from Bombay office."[5] Sir Fazl-i-Husain died on July 9, 1936 and his place as leader of the Unionist Party was taken by Sir Sikander Hayat Khan.

The Unionists employed every tactic-intimidation, graft, corruption, official interference—and naturally won the election. But there was a section of Muslim leaders led by Dr Iqbal, who wholeheartedly responded to Mr Jinnah's call and loyally stood by the Muslim League. Their resources were very limited, but they were sincere and courageous and were prepared to adhere to principles irrespective of consequences. They organised a Provincial Parliamentary Board and conducted the League's campaign in the face of grave difficulties and handicaps. Only two of the Muslim League candidates were successful, namely Raja Ghazanfar Ali Khan and Malik Barkat Ali. The former after getting elected deserted the Muslim League, joined the Unionist Party and was appointed Parliamentary Secretary. (Later he made amends by resigning from Unionist Party and joining the Muslim League Party in the Punjab Assembly when

4. Azim Husain, *Biography of Sir Fazl-i-Husain.*
5.. Ibid.

Malik Khizar Hayat Khan and his followers had broken away from the Muslim League in 1944). Malik Barkat Ali, a competent lawyer and an able politician, known for his courage of conviction, had the distinction of holding aloft boldly and single-handed, the Muslim League's flag in the Punjab Assembly for a number of years.

Outwardly and temporarily the League failed, but it struck roots in the soil of the Punjab and its voice began to touch a responsive chord in the hearts of the Muslim masses. The pioneering efforts of leaders like Dr Iqbal, Malik Barkat Ali, Khalifa Shujauddin, Malik Zaman Mehdi, Pir Tajuddin and Ghulam Rasool Khan generated forces which, in a few years, liberated the Punjab from the strangehold of the Unionist Party. During this crucial period, Dr Iqbal played a very significant part, though not revealed to the public at the time. He was in constant touch with Mr Jinnah, conveying his views to him and lending him the fullest support. In one of his letters to Mr Jinnah, Dr Iqbal made the following significant remark, "I know you are a busy man, but I do hope you won't mind my writing to you so often, as *you are the only Muslim in India today to whom the community has a right to look up for safe guidance through the storm which is coming to North-West India and perhaps to the whole of India.*"[6] Dr Iqbal also frankly told Mr. Jawaharlal Nehru to his face, "Mr Jinnah is the only man who can deliver the goods on behalf of the Musalmans of India and I am merely his soldier."[7] So long as he lived, Dr Iqbal continued to give wholehearted support to Mr Jinnah in his efforts to organise the Muslims as a united political force. On his death on April 21, 1938 Mr Jinnah paid him a magnificent tribute, saying: "He was a personal friend of mine and composer of the finest poetry in the world. He will live as long as Islam will live. His noble poetry interprets the true aspirations of the Muslims of India. It will remain an inspiration for us and for generations after us."[8] In releasing Dr Iqbal's correspondence

6. *Letters of Iqbal to Jinnah*, published by Quaid-i-Azam Jinnah.
7. Batalvi, *Iqbal our Tahrik-i-Pakistan (3)*, p. 75.
8. *Speeches and Writings of Mr Jinnah*, op. cit., p. 66.

with him, Mr Jinnah observed: "His views were substantially in consonance with my own and had finally led me to the same conclusions as a result of careful examination and study of the constitutional problems facing India, and found expression in due course in the united will of the Muslims of India as adumbrated in the Lahore resolution of the All-India Muslim League popularly known as the Pakistan Resolution passed on March 23, 1940."[9]

Apart from the Muslim majority provinces where most of the Muslim leaders were guided by the narrow consideration of finding places in Ministries, by hook or by crook, the Muslim League's election campaign met with better success in the other provinces where it won 60 to 70 per cent of the Muslim seats. The Congress was not sure of capturing big majorities in the legislatures, and it had no chance whatever so far as Muslim seats were concerned. A sort of unofficial understanding existed between League and Congress candidates to lend moral support to one another. In his election speeches, Mr Jinnah expressed sentiments of goodwill towards the Congress and emphasized the need for friendly co-operation between the League and the Congress. For instance, in one speech he said: "Ours is not a hostile movement. Ours is a movement which carries the olive branch to every sister community. We are willing to co-operate, we are willing to coalesce with any group or groups, provided their ideals, their objects are approximately the same as ours."[10] On another occasion he said: "The constitution and policy of the League do not prevent us from co-operation with others. On the contrary, it is part and parcel of our basic principle that we are free and ready to co-operate with any group or party from the very inception, outside or inside the legislature, if the basic principles are determined by common consent."[11]

As soon as the results of the elections were known there was a sudden change in the Congress attitude. They had won an overwhelming majority of Hindu seats and did not need any

9. *Letters of Iqbal to Jinnah.*

10. Quoted in K. B. Sayeed's *Pakistan Formative Phase*, p. 83.

11. Quoted in Abdul Wahid Khan's *India Wins Freedom, the other side*, pp. 73, 74.

other party's support to form Ministries in six provinces if a narrow and literal view of the Constitution were taken. No doubt, the Instrument of Instructions required the Governors to ensure that members of minority communities were also included in cabinets. The intention behind this provision was clear—it was meant to ensure that minorities had their trusted representatives in the Cabinet. But the Congress begain to look for ways and means to circumvent this provision and defeat its purpose. If the Congress leaders had any sense of practical statesmanship and any regard for the entente established with the League during the election campaign they could have easily formed coalition cabinets including League representatives, especially when the programmes of the two parties were similar and the League President had offered co-operation on no uncertain terms. But the unexpected success at the polls had a very upsetting effect on the Congress leaders' mental balance. The Congress President, Mr Subhas Chandra Bose, who was at that time in Vienna for medical treatment declared that Party dictatorship should be the slogan of the Congress and the idea of co-operation and coalition with other parties must be given up. Mr Nehru went a step further and, in an offensive tone, declared at Calcutta that there were only two parties in the country—the Congress and the Government—and others had to line up.

Instead of welcoming the Muslim League's offer of co-operation Mr Nehru began to talk of Muslim mass contact. Addressing a Convention of newly elected Congress members of Provincial Assemblies in April 1937, Mr Nehru said: "For a long time we have been under the delusion that problems can be solved by reaching a settlement or understanding with communalist leaders. We neglected the masses. This approach was wrong and this policy useless. We will never return to this policy in future. It is surprising that there are still some people who consider the Muslims to be a separate group and are dreaming of reaching a settlement with the Hindus. This mode of thinking might have existed in the mediaeval ages but today nobody cares for it."[12]

12. Mohammed Amin Zuberi, op. cit., p. 306.

Mr Jinnah who had so far shown much forbearance was now left with no alternative but to take up the Congress challenge. In a statement, January 7, 1937 he declared: "I warn my Hindu friends and the Congress to leave the Moslems alone. We have made it clear and we mean it that we are ready and willing to co-operate with any group or groups of progressive and independent character, provided their programme and our programme are approximately the same. We are not going to be the campfollowers of any party or organization. Pandit Nehru is reported to have said in Calcutta that there are only two parties in the country, namely the Congress and the British Government, and the others must line up. I refuse to line up. There is a third party in the country and that is of the Moslems. We are not going to be dictated to by anybody."[13]

Even in the face of these provocations, Mr Jinnah was keeping the door open, should the Congress eventually see the wisdom of enlisting the Moslem League's co-operation. The Congress had been vehemently declaring that it would not accept office as its aim was to "wreck" the constitution. The Governors were trying to form interim Ministries with the help of minority groups in the six provinces where Congress had won the majority of seats. Under Mr Jinnah's instructions, the Muslim League Parties in these provinces kept aloof from all attempts at formation of interim Ministries. It was a gesture which the Congress should have appreciated, but it did not. Instead, it started a campaign of calumny and vituperation against the Muslim League and launched its "Muslim mass contact".

13. K. B. Sayeed, op. cit, p. 85.

CHAPTER FOURTEEN

CONGRESS MANOEUVRES AGAINST MUSLIM LEAGUE

Inspite of the brave talk of wrecking the constitution, the Congress leaders could hardly conceal their desire to form Ministries and were looking for some face-saving device to be able to do so. There was a long public controversy on the question whether or not the Governors could give the assurances as demanded by the Congress that they would not exercise their special powers and responsibilities. In their anxiety to show to the world that the constitution framed by them had not failed and was working, the British authorities too had a sneaking keenness to accommodate the Congress, even if it meant sacrificing the interests of the smaller communities.

The position is vividly described by the Quaid-i-Azam in an article contributed by him to the British journal "Time and Tide" in January 1940: "Rushing to Wardha for guidance, the Working Committee took stock. What was the position? In five provinces they had been defeated and while they held a complete majority in six, the oppositions, weak in numbers though they were, were led by the small but solid *blocs* of the Muslim League members. This situation had two very unsatisfactory aspects. First, it brought out the completely Hindu composition of the Congress, and, secondly, it would be difficult to ignore and override Muslim-led oppositions as long as Governors of provinces were in possession of special powers granted to safeguard minority interests. Realising at once that such circumstances would considerably hinder their plans, the Congress played its trump card. It refused to accept office. To the consternation of the Muslims and other minorities the Viceroy and Governors, became supplicants. What would the Congress have then do? What

assurances did the Congress need? The answer was ready. Give us the undertaking that you will not exercise your special powers and we will accept office. Hastily the constitutional guardians of minority and other rights jettisoned their trust and, amidst much mutual appreciation of each other's "statesmanship", the Congress and the British Government came into political alliance."[1]

The alliance was termed "Gentlemen's Agreement" by Mr Gandhi. It resulted from a long statement couched in conciliatory language which the Viceroy, Lord Linlithgow, issued on June 22, 1937. He pointed out that the safeguards were severely restricted in scope and were not likely to cause an open breach between a Governor and his Ministers except on a major issue and concluded with the following observation: "The design of Parliament, and the object of those of us who are the servants of the Crown in India and to whom it falls to work the provisions of the Act, must be and is to ensure the utmost degree practicable of harmonious co-operation with the elected representatives of the people for the betterment and improvement of each individual Province and of India as a whole; and to avoid, in every way consistent with the special responsibilities for Minorities and the like which the Act imposes, any such clash of opinion as would be calculated unnecessarily to break down the machine of Government, or to result in a severance of that fruitful partnership between the Governor and his Ministers which is the basis of the Act, and the ideal, the achievement of which the Secretary of State, the Governor-General and the Provincial Governors are all equally concerned to secure."[2]

The Viceroy's statement did not surrender any constitutional ground, but it was pounced upon by the Congress as a convenient handle for getting over the difficulty of their own making. The Congress Working Committee promptly permitted the Congress parties in the Provincial Assemblies to accept office. Commenting on this decision, Mr Rafi Ahmad Kidwai, a prominent leader of the U.P. Congress Committee, remarked: "We should frankly admit our defeat. British diplomacy has completely triumphed

1. *Speeches and Writings of Mr Jinnah*, op. cit., pp. 114-15.
2. Gwyer and Appadorai, *Constitutional Documents.*

over us. Government need have no fear of the Congress now, because the Congress which wanted to create a revolutionary mentality among the masses has now become a friend of the British Government."[3] (It is another matter that Mr Kidwai himself joined the U.P. Congress Ministry.) Accordingly Congress Ministries were sworn in in six provinces—U.P., Bihar, Orissa, C.P., Bombay and Madras. So far it was plain sailing, but if purely Hindu Governments were formed, the Congress would not be able to flaunt its "nationalist" character. In three of the six provinces not a single Muslim had been returned on the Congress ticket and not more than one or two in others. The Congress leaders thought, there would be at least one amongst the Muslim members who would be unable to resist the bait of a ministership. They would offer the ministership to any one who deserted his party and signed the Congress pledge.

The question was whether the Governors would permit such a manoeuvre. The Instrument of Instructions which they were sworn to obey clearly laid down: "In making appointments to his Council of Ministers our Governor shall use his best endeavours to elect his Ministers in the following manner: that is to say, in consultation with the person who in his judgement is likely to command a stable majority in the legislature to appoint those persons (including so far as practicable members of important minority communities) who will be best in a position collectively to command the confidence of the legislature. But in so acting, he shall bear constantly in mind the need of fostering a sense of joint responsibility among his Ministers."[4] The spirit underlying the terms of the "Instrument of Instructions" was clear. It meant that the Governor should endeavour to secure to important minorities, a Minister or Ministers who commanded their confidence. There was practically no difference in the programmes embodied in the manifestoes of the Congress and the Muslim League Parties in the legislature. It could not, therefore, be contended that it was not "practicable" for a Muslim League member to be appointed a Minister.

3. Mohammad Amin Zuberi, op. cit., p. 315.
4. *Speeches and Writings of Mr Jinnah*, op. cit., p. 115.

The Congress hit upon another device to circumvent the requirement of the Instrument of Instructions. This is exposed by the Quaid-i-Azam in the same article as follows: "What about the last words; 'But in so acting, he shall bear constantly in mind the need for fostering a sense of joint responsibility among his Ministers'. This fortunately could be turned to suit their purpose if the Governor was prepared to allow this second part, advisory and subsidiary to the main instruction, to override the first. They had but to claim that joint responsibility was impossible unless the Muslim Minister was prepared to abide by the decisions of the Working Committee and their point was won. Meekly the Governors acquiesced and in order to allow the Congress to deceive the public by making it appear that it was "national" and looking after the interests of the minorities by including a "representative" of them in the Council of Ministers, accepted as Muslim Ministers individuals who, by no stretch of imagination, could be regarded as "representatives" of the Muslim community and who, by signing the Congress pledge, were responsible to the Working Committee alone."[5]

The meek and malleable attitude of the Governors served to increase Congress militancy and aggressiveness towards the Muslims and other minorities. It conducted its war against the Muslim League on several fronts, one of which was an insidious attempt to win over individual Muslim Leaguers by holding out allurements of office and thus demoralise and disrupt the League ranks. In C.P., Bihar, Bombay and Madras, the Congress enticed a stray Muslim Leaguer or independent Muslim member to sign the Congress pledge in exchange for a Ministership. In the U.P. a special effort was made to create a situation designed to bring about the merger of the Muslim League Party in the Congress Party, because it was thought that such a consummation would deal a serious blow to the existence of the Muslim League as an all-India organization. Instead of following the straight and honourable course of forming a coalition with the Muslim League Party and including its representatives in the Cabinet, the Congress leaders proceeded to wean away individual League members by methods of political bribery and corruption. There

5. *Speeches*, op. cit., p. 116.

would have been no difficulty in forming a coalition, for the social and economic programmes of the two parties were similar. The British historian, Sir Reginald Coupland, in his book "India a Restatement", considers it not only feasible but very desirable that the Congress should have enlisted the League's co-operation. Says he: "Meantime the Muslim League also had issued a manifesto, the work of a Parliamentary Board which the League's meeting had instructed Mr Jinnah to establish. To all appearance the social policy it advocated, was much the same as the Congress policy. . . . .And there was nothing else in the League's programme to obstruct a practical entents. Might not the co-operation established at the Centre be extended to the Provincial field? Might not the Congress-League coalition Ministries be established in most of the Provinces? Would not that be the greatest possible step towards Indian unity and, therefore, towards Indian freedom? Whatever its precise implications, the League manifesto was clearly an offer of co-operation and, as will be seen later on, the subsequent course of Hindu-Muslim relations and of the whole constitutional history would have been different if the Congress leaders had accepted the offer?"[6]

Maulvi Abul Kalam Azad, in his book "India Wins Freedom" gives an account of his negotiations with the leader of the Muslim League Party in the U.P. Legislative Assembly which creates the impression as if no question of policy or principle were involved, and it was only a question of accommodating one or two Muslim Leaguers in the Cabinet. First of all, the way he conducted the negotiations showed that his real motive was not to bring about any friendly understanding and co-operation between the Congress and the League but to put an end to the existence of the League as a political party at least in U.P. and cut the ground from under the feet of its President, Mr Jinnah. For various reasons the League in U.P. held a pivotal position and Maulvi Azad thought that if the U. P. League could be merged in the Congress, Mr Jinnah's efforts to build up the League as an All-India party capable of fighting for Muslim rights would be seriously hampered, if not altogether defeated. The Congress wanted to include two Muslims in the U.P.

6. R. Coupland, *India, a Restatement.*

Ministry to give it the semblance of a "national" cabinet. But it was faced with a difficulty. No Muslim had been elected to the U.P. Assembly on the Congress ticket. Before the Assembly could be called to meet for its first session, a Muslim League member Thakur Asghar Ali Khan, elected from Baharaich district, died. It was a "safe" seat for the Muslim League. It was generally expected that the U.P. Muslim League Parliamentary Board would put up a candidate in the by-election. The League President Mr Jinnah, had declared in a statement: "We have decided to contest the seat which was won by the Muslim League at Baharaich, as the member who won the seat, I sorrowfully have to say, is no more with us. So we have to capture this seat againt. The Congress, I believe, is going to contest this seat. It will be a great mistake on the part of the Congress to do so. There is really no substantial difference now at any rate between the Congress and the League, as the plan of wrecking the constitution had disappeared from the Congress programme. I have often said that I am trying to see that Muslim should wholeheartedly and sincerely adhere to the policy and programme of the All-India Muslim League, which is both national and patriotic, and we shall always be glad to co-operate with the Congress in their constructive grogramme. It is no use encouraging individual Muslims to come into the fold of the Congress for the sake of a prize."[7]

Mr Jinnah's statement was unambiguous, but his directive was not followed and a "Muslim League" seat was lost to the Congress. No League candidate was put up and a Congress leader, Mr Rafi Ahmad Kidwai, was allowed to be elected unopposed. In his book "India Wins Freedom—the other side" Mr Abdul Waheed Khan testifies that "he (Kidwai) too had won the seat in a by-election through the support of Chaudhri Khaliquzzaman."[8]

Having captured one Muslim seat by a method which could not be described as straight, the Congress, through Maulvi Abul Kalam Azad, approached the leader of the U.P. Muslim

7. M. H. Saiyid, op. cit., pp. 350-51.
8, Abdul Waheed Khan, *India Wins Freedom—the other side*, p. 88.

League party, Chaudhri Khaliquzzaman, over the head of the President of the All-India Muslim League, knowing that the League at that time was not a well-knit, strong organization. The parleys between Messrs. Abul Kalam Azad and Khaliquzzaman were conducted in a manner which created the impression that the intention was to seduce Muslim Leaguers by offering baits of office. Actually one Muslim League member, Hafiz Mohammad Ibrahim, was enticed away and appointed a minister as a reward for betraying the League. A few others were weaned away and appointed Parliamentary Secretaries.

These developments were causing much perturbation in Muslim League circles as is evident from the statement of Syed Mohammad Husain, a prominent Muslim League leader in U.P. and member of the Council of State: "What a dreadful plot against both the Muslim League and Mr Jinnah! Mr Jinnah becomes convinced that nothing can be done to the advantage of the Muslim community unless the Muslims of different shades of opinion are brought under one strong and progressive organization, that is the Muslim League. His desire was to ask those who were going unduly fast to slacken their pace and to make those who were hardly advancing to quicken their steps, so that the whole community should advance together. He worked very hard for it and, inspite of good many handicaps and obstacles, has succeeded to a great extent. He was naturally inclined towards the more advanced section and, in his zeal to secure their co-operation, he yielded to them on more than one occasion. They, however, accepted the principle of consolidating the Muslims of all schools of thought under the banner of the Muslim League and gave Mr Jinnah an undertaking to that effect. Mr Jinnah placed confidence in them and asked them to go ahead. Alas, his confidence was misplaced and some of them betrayed him, at least in U.P. His idea was to organize the Muslims to stand against the Congress which had entirely ignored the existence of Muslims in India except for the purpose of exploiting and had become too arrogant and anti-Muslim. Yet Mr Jinnah wanted the Muslims to become strong enough to advance side by side with any progressive group. It was in the name of the Muslim League and Mr Jinnah that the candidates

went about canvassing votes and preaching Mr Jinnah's principle of organization of Muslims and succeeded in the elections. But what they did and are doing after their success in the election does no credit to the Congressite Muslims. The hands of the Congress are not invisible in the U.P. Parliamentary Board and, although some had their own suspicions, they pursued the policy of "wait and see" and allowed the election to be over. Immediately the elections finished and the Congress was returned with a majority its hands became very prominent in the activities of the U.P. Parliamentry Board."[9]

Mr Jinnah took serious notice of the matter and sounded a note of warning against the subterfuges employed by the Congress in dealing with the Muslim League:

"I understand that there is a move to invite to the meeting of members of the Congress to be held on May 2 and 3, some Muslim members who have been elected to the U.P. Legislative Assembly on the Muslim League ticket and also a conference is going to be convened at Allahabad. I am entirely in the dark as to what the object of this move is. But I want to make it clear that it will be useless for any individual or individuals to effectively carry the Muslims behind them, if any settlement is arrived at with a particular group or even for the matter of that the whole of the province. I say it is a pity that these efforts are made. The only object of it can be to create some differences between the Muslims. It is no use dealing with those men who are in and out of the Congress and the Muslim League at one time with one and at another time with the other, as it suits them. I am sure that the Muslims of U.P. will not betray the Muslims of India and therefore, any effort to settle by individuals which may be advantageous to them for the time being, will not carry us anywhere.

"I have been promised by Chaudhri Khaliquzzaman, leader of the Muslim League Party in U.P. Legislature, that he will let me know what the situation is in the U. P. I have sent him reminders and I am waiting to hear from him for the last three weeks. I cannot understand the mystery of his silence. I only

9. *The Pioneer, Lucknow,* 21 April, 1937.

trust that he will not enter into any commitment which may be repudiated not only by the Muslims of his province but the Muslims of India. The method of dealing with individuals or groups can only result in isolating and dividing the Muslims group by group or province by province and in destroying the united front".[10]

Congress Totalitarian Rule in the Garb of Orthodox Parliamentarism

Maulana Azad and Pandit Nehru formulated terms and conditions for including Muslim League members in the Congress Cabinet of U.P. which were as follows:

1. The Muslim League group in U.P. Legislature shall cease to function as a separate group.

2. The existing members of the Muslim League Party in the U.P. Assembly shall become part of the Congress Party and will fully share membership of the Party. They will likewise be subject to control and discipline of the Congress Party in an equal measure with other members, and the decision of the Congress Party as regards work in the legislature and general behaviour of its members shall be binding on them. All matters shall be decided by a majority vote of the Party, each individual member having one vote.

3. The policy laid down by the Congress Working Committee for their members in the legislatures along with the instructions issued by its competent Congress bodies pertaining to their work in such legislatures shall be faithfully carried out by all members of the Congress Party including these members.

4. The Muslim League Parliamentary Board in the U.P. will be dissolved and no candidates will, therefore, be set up by the said Board at any by-election. All members of the Party shall actively support any candidate that may be nominated by the Congress to fill up a vacancy occurring hereafter.

5. All members of the Congress Party shall abide by the rules of the Congress Party and offer their full co-operation with a view to promoting the interest and prestige of the Congress.

10. *Times of India*, Bombay, 26 April, 1937.

6. In the event of the Congress Party deciding upon resignation from the Ministry or the legislature, the members of the afore-mentioned group shall be bound by that decision.

These terms were conveyed to Chaudhri Khaliquzzaman by Maulana Azad with a note which stated: "It was hoped that if these terms were agreed to and the Muslim League group of members joined the Congress Party as full members, that group would cease to exist as a separate group. In the formation of the Provincial Cabinet, it was considered proper that they should have representatives."[11] It is, indeed, amazing as to how the Congress leaders though fit to put forward such terms and conditions as no self-respecting party could ever entertain. However, Mr Abdul Waheed Khan, who in his book "India Wins Freedom—the Other Side" claims to have firsthand knowledge of the Azad-Khaliquzzaman negotiations, remarks: "They (the U.P. League leaders) were willing to be subject to Congress discipline in the matter of economic programme and to resign from the government in case the Congress decided to resign. They were also prepared not to contest any by-election in opposition to Congress Muslim candidates. That would have amounted to the virtual dissolution of the (League) Parliamentary Board."[12] It must, however, be noted that Nawab Mohammad Ismail Khan, President of the U.P. Provincial Muslim League, who was no party to these negotiations, was strongly opposed to these terms and conditions. "The effect of this," observes Mr Ian Stephens, "simultaneously on many Muslim minds throughout India was a lightning-flash. What had been but guessed at now leapt forth in horridly clear outline. The Congress, a Hindu-dominated body, was bent on the Muslims' eventual absorption; Western-style majority rule, in an undivided subcontinent, could only mean the smaller community being swallowed by the larger, as Syed Ahmad Khan had long ago pointed out; in the end Muslims would find themselves just one of the lower Hindu castes, dissolved in a general grey idolatrous mush."[13] Muslim public opinion by this time had become vocal and assertive and the note

11. R. Coupland, *India a Restatement.*
12. Abdul Wahid Khan, op. cit., p. 81.
13. Ian Stephens, *Pakistan*, p. 76.

of warning sounded by Mr Jinnah averted the danger of merger of the U.P. Muslim League Parliamentary Party in the Congress. The Azad-Khaliquzzaman parleys fell through.

Moulvi Azad's own version of the causes of the breakdown of the negotiations may be noted, as it throws light on the real motives of the Congress. He says: "After some days, I returned to Allahabad and found to my great regret that Jawaharlal had written to Chaudhri Khaliquzzaman and Nawab Ismail Khan that only one of them could be taken into the Ministry. He said that the Muslim League Party could decide, who should be included, but in the light of what I have said above (i.e. the local position was such that neither of them could enter the Government alone) neither was in a position to come in alone. They, therefore, expressed their regrets and said they were unable to accept Jawaharlal's offer. This was a most unfortunate development. If the U.P. League's offer of co-operation had been accepted the Muslim League Party would, for all practical purposes, have merged in the Congress. Jawaharlal's action gave the Muslim League in U.P. a new lease of life. All students of Indian politics know that it was from the U.P. that the League was reorganized. Mr Jinnah took full advantage of the situation and started an offensive which ultimately led to Pakistan."[14] So the real intent and purpose was not to accommodate but kill the Muslim League. Had it not been for the Quaid-i-Azam's firm stand and timely intervention, the Muslim League at least in U.P. would, in all likelihood, have suffered a serious setback.

The Congress High Cammand adopted a similar attitude towards the Muslim League in Bombay. According to the testimony of Mr Kanji Dwarkadas, a prominent Hindu leader of Bombay, "Kher, the Chief Minister-designate, before forming the Ministry, saw Jinnah. He requested to give him two members of his Muslim League to join in the Ministry. Jinnah readily agreed and offered his and the Muslim League's fullest co-operation to the Congress Ministry. But what happened? Kher told me the whole story and later Jinnah confirmed it. The High

14. Abul Kalam Azad, *India Wins Freedom*, p. 161.

Command, Sardar Patel, took Kher to task for having approached Jinnah. The High Command wanted no truck with Jinnah. So Kher's request for two Muslim Leaguers in the Ministry was turned into a demand by the Congress that the Muslim Leaguers must resign from the Muslim League and join the Congress and then only would they be taken as Ministers. This was a humiliating condition for the Muslim League to accept. Jinnah rightly resented it. He, therefore, summarily rejected the Congress suggestion. He wanted to co-operate with the Congress Ministry but not by liquidating and sabotaging his own party."[15] Mr Dwarkadas frankly recognises that "This arrogance and lack of political foresight in July 1937, was repeated time and again during the next ten years, culminating at last in the division of the country into India and Pakistan."[16]

A well-known Hindu historian, Dr R. C. Majumdar, in his book "History of the Freedom Movement in India" Volume III, takes the same critical view of the Congress attitude towards the Muslim League: "There is no doubt that the decision of the Congress leaders was extremely unwise and it was bound to have disastrous consequences. The Muslims now fully realised that as a separate community they had no political prospects in future. The Congress ultimatum was the signal for the parting of the ways which by inevitable stages led to the foundation of Pakistan."[17]

The narrowness of outlook displayed by the Congress leadership is criticised even by another distinguished Hindu scholar, Dr Beni Prasad, who writes: "Orthodox Parliamentarism led the Congress leaders to forget that the one-party theory, even if true of political agitation, was not, in the absence of an accomplished revolution, applicable to Ministerial office. The change from extra-constitutional action to governmental responsibility to which the Congress assented in 1937, was a change of scale and methods of the profoundest significance and called for an evaluation and a rearrangement of political forces. The country was

15. Kanji Dwarkadas, op. cit., p. 467.
16. Ibid., p. 467.
17. R. C. Majumdar, *History of Freedom Movement*, Vol. III, p. 563.

passing through a crisis, and crises have usually been surmounted even in England through coalitions, for instance in 1915, 1931 and 1940."[18] Criticising orthodox parliamentarism he says further: "The majority 'principle' is at bottom not an ethical maxim but a rule of expendiency, and has always to be so interpreted as to command minority affirmation. Orthodox parliamentarism, however, carried the day and excluded the Muslim League as an organization from a share in power."[19]

The comments of the British historian, Sir Reginald Coupland are equally pertinent: "In the first motion taken by the Congress leaders under the new constitution, in their first move in the field of parliamentary politics, there was nothing of that spirit of compromise without which parliamentary government cannot be expected to work successfully or long. The logic of majority rule was to be strictly enforced. The Congress would form no coalition with a minority party. If League politicians wanted to share in Government they must join the Congress and submit to the control of the Congress bodies in all of which the Muslim members would be in a minority. If this ultimatum were accepted, it was frankly hoped, and with good reason, that the League would cease to exist."[20]

The Congress had two sets of principles—one for provinces where it wielded absolute majorities and the other for provinces where it did not command overall majorities. In N.-W.F.P. and Assam non-Congress coalition Ministries, headed by Sahibzada Abdul Qayyum Khan and Sir Mohammad Saadullah respectively, had been formed, and they functioned for some time. But the Congress would not tolerate them. It resorted to every machination and manoeuvre to bring down these Ministries. Contrary to its declared principle of forming no coalition, the Congress allowed its groups in the Provincial Assemblies of N.-W.F.P. and Assam to coalesce with other groups and set up Coalition Ministries. This was in pursuance of its design to establish its complete hegemony over the entire country in order

18. Quoted in Abdul Wahid Khan's *India Wins Freedom, the other side*, p. 86.

19. Ibid., pp. 86-7.

20. R. Coupland, *India a Restatement*.

to prove its claim to be the successor to the British Raj. The easy victories the Congress had achieved with the connivance of the British authorities naturally had an intoxicating effect on the minds of the Congress leaders. They proceeded to establish their party dictatorship as Mr Subhas Chandra Bose had earlier demanded. The position was well described by Mr Jinnah as follows: "The Working Committee arrogated to itself the position of a parallel central government to whom the provincial governments were responsible. Regional dictators were appointed and the Ministers were entirely subject to their orders generally, and no provincial legislation could be enacted without their approval. They then proceeded to stifle even the little opposition that existed. Having dealt with the British they now dealt with the Muslims."[21]

With its vast organisational strength, finance, backing of the press and the advantages accruing from Ministerial authority, the Congress launched upon a campaign of Muslim contact. A special department of Muslim Mass contact was set up in the office of the All-India Congress Committee with young Muslim leftists like Dr K.M. Ashraf and Dr Z. A. Ahmad as its members. Flushed with the newly acquired power, the Congress thought, it could ride roughshod over the Muslim-League and cow down the Muslims into submission. The Congress idea of Muslim mass contact was not to win their support by genuine goodwill and service but to over-awe them by a show of Hindu strength and to make them feel that, unless they surrendered and toed the Congress line, they would face disaster and suffering. Even the ordinary Congress volunteers, leave alone the leaders, behaved as if Hindu Raj had been established. This feeling spread among the general Hindu public, as Sir Harry Haig, who was Governor of U.P. at that time, testified: "The enthusiasm of the masses for the Congress Raj melted imperceptibly into ideas of Hindu Raj which were certainly prevalent throughout the province. These ideas were deeply resented by the Muslims who were invincibly determined not to be ruled by the Hindus."[22] Mr Lumby in his book "The Transfer of Power

21. *Speeches and Writings of Mr Jinnah*, op. cit., p. 116.
22. K. B. Sayeed, op. cit., p. 87.

India" takes the same view: "Islam had maintained its separate identity in India for several hundred years. But during these centuries, the Muslims had been at first victorious invaders and later fellow-subjects with the Hindus or the British. Now at last the Hindus had recovered something of their ancient power, and automatically they began to mould everything to their own way of life, so that it seemed to Muslims that, unless the process was checked, the whole structure of their own religion and culture would be undermined."[23]

The local Congress Committees in the Congress-governed provinces practically functioned as a parallel government in the districts. This was encouraged by the Congress Ministries themselves as is borne out by the circular letter sent by the Chief Secretary of the U.P. Government to all district magistrates. The letter referred to frequent reports about the "embrassing attitude" adopted by Congress supporters towards the district authorities and the complaints of the Congress workers against the behaviour especially of the lower grades of Government officials. The letter emphasised the importance of "establishment of relations of mutual confidence between the district authorities and the leaders of the Congress organization." That such a procedure was contrary to all sound democratic principles and traditions involving grave injustice to non-Congress sections of the population did not seem to matter to the Congress at all.

The situation prevailing in the Congress-governed provinces as a result of the iniquitous policies followed by the Congress Ministries is vividly described by the British historian, Sir Reginald Coupland, who studied it at first hand: "It was not only the Working Committee's control of the Congress Ministries that showed that a 'Congress Raj' had been established in their provinces. It was betrayed by the conduct and bearing of Congressmen, both in the performance of public duties and as individuals, at the outset ofthe regime. Bande Matram was sung to open proceedings in the provincial legislatures. The tricolour

23. E.W.R. Lumby, *The Transfer of Power in India*, p. 23.

was hoisted over local administrative buildings. And not unnaturally, all the subordinate branches of the 'parallel' Government now felt themselves authorised to govern. Congress Commitees issued orders. In some districts Congress police stations were opened and Congress police began to investigate crime. The U.P. Provincial Congress Committee set up a "Military Department" and declared its intention of raising a Provincial force 500,000 strong to be brigaded with other Provincial forces in a great 'National Army.' An officers' training camp was started and bodies of men began drill and march, in uniform, with *lathis* for arms and their flag flying. A less sinister phenomenon but one which made a deep impression on the minorities was the demeanour of the rank and file of Congressmen, especially the younger ones, on the morrow of their electoral victory. Many of them behaved as if they were a ruling caste, as if they owned the country."[24]

Mr Ian Stephens, former Editor of Statesman of Calcutta, expresses the same view of the working of the Congress Ministries: "Provincial Ministers in the U.P. and elsewhere conducted their daily business in an atmosphere of Ram Raj repugnant to non-Hindus. And all sorts of petty pressures and harassments aimed against Muslims began to be alleged. School children were instructed to worship Mr Gandhi's protrait with folded hands in the Hindu manner, and to sing Bande Matrama nationalist ditty taken from Bankim Chatterji's obnoxious novel. Beefeating was actively discouraged; also the Urdu language and script; the best appointments always went to Hindus, the police sided with Hindus during riots."[25]

The Congress Governments were fast developing into a totalitarian regime. This is recognised by Sir Reginald Coupland: "All the people of the Congress provinces who were not Congressmen and they numbered many millions—had been quick to observe the Congress disclosure of what can only be called a totalitarain mentality . . . .The essence of totalitarianism is not in its methods but in its principles, and its principle is simply one-party government or the identification of the Party

24. R. Coupland, *India, a Restatement*.
25. Ian Stephens, *Pakistan*, p. 77.

with the State. When the Congress Government took office, the identification did in fact some about. It was manifest not only in the symbolism—the flag and the "national anthem"—not only in the pretensions of committees or individual members of the party to be part of the Government machine, but also in the Governments' allegiance to the Congress centre."[26] Even a prominent liberal Hindu leader of Bombay, Sir Chimanlal Setalvad, in his autobiography, accuses the Congress of fascist tendency: "The Congress organisation soon began to develop fascist tendency and when Congressmen assumed offices in the provinces, their fascism became all pervading."[27]

The checks on a party dictatorship which are a familiar feature of democracy did not exist in the Congress-governed provinces. In democratic states the uncertain issue of the next election leads the ruling party to conciliate hostile elements and win over neutral sections of public opinion. The need for compromise with minority views is felt and the ruling party attempts to conduct government by discussion rather than sheer weight of a majority. To the Congress, however, the minority parties did not matter. It did not consult them and their suggestions, however reasonable, were rejected out of hand. The minority parties were ridiculed as "reactionary" and the grievances voiced by them, however genuine, were scoffed at. As Sir Reginald Coupland says: "It was impossible, in fact, to evade the truth that the idea of a Congress Raj had materialised. The Congress had taken delivery in most of the provinces. It intended soon, no doubt, to take it at the Centre."[28]

26. R. Coupland, *India, a Restatement*.
27. Sir Chimanlal Setalvad, *Recollections and Reflections*.
28. R. Coupland, *India, a Restatement*.

CHAPTER FIFTEEN

MUSLIM SUFFERINGS UNDER CONGRESS RULE

The coming into power of Congress Ministries signalised an alarming increase in the number of Hindu-Muslim riots and accentuation of bitter feelings between Muslims and Hindus in the Congress-governed provinces. The riots were not the manifestation of mere religious differences, for such differences had always been there and they existed in non-Congress provinces also. It was the oppressive and discriminating policy and the hostile attitude of Congress Governments towards the Muslims that led to frequent riots. The outward causes of Muslim-Hindu conflicts were the playing of music before mosques, the hoisting of the tricolour flag of the Congress on public buildings, the singing of Bande Matram song and the forcible prevention of cow-killing. Music was deliberately played before the mosques at the time of prayers to injure Muslim religious sentiments. The tricolour flag of the Congress Party was forcibly hoisted on public buildings and schools and colleges, though the Muslims refused to accept it as the national flag. The Bande Matram song was insisted upon as the national song, though it was most offensive to Muslim sentiments being anti-Muslim in its purport and idolatrous in its inspiration. In many schools, Muslim children were forced to sing Bande Matram, to worship Mr Gandhi's portrait and to dress and salute in the Hindu style.

The policy of the Congress Government was inspired by the ambition of the Hindu majority to dominate and rule the Muslim minority which was not willing to recognise the Hindus as its superiors. The Muslims resented injustice and discriminatory treatment. They refused to be bullied into the position of

an understudy of the Hindus and this led to rioting. As Sir Reginald Coupland remarks: "The worst and most dangerous cause of disorder was, as it had always been, communal strife. The barometer of rioting and fighting, which had stood so steady for some years past, began to fall again. When the Congress Ministries resigned in the autumn of 1939, there had been 57 communal outbreaks in their provinces and more than 1700 casualties of which over 130 had been fatal. (It may be noted that these are official figures; the actual number of casualties was much larger) . . . . By the end of 1939, it was widely believed that, if the Congress Governments had lasted much longer, communal fighting would have broken out on an unprecendented scale."[1] In certain parts of the country unspeakable atrocities were prepetrated on poor and defenceless Muslims, but the Congress Governments of the localities took no steps to bring the offenders to book; they rather resorted to firing upon and arrests of Muslims. In the remote villages, Muslims lived in constant dread of their lives and honour. They were even subjected to forcible conversion to Hinduism. They dared not perform cow-sacrifice on the occasion of Id-ul-Azha or even call Aza'an (Call to prayer), and sometimes the mosques were desecrated. Civil liberties for which Congressmen used to agitate before coming into office, were denied to the Muslims. Their meetings were spied upon; their freedom to hold meeting, to take out processions or perform cow-sacrifice as a religious rite was often circumscribed by promulgation of orders under Section 144, Cr. P.C. The exercise of civil and religious rights by Muslims was made conditional on "custom" and "law and order". And who was to judge whether "custom" and the exigencies of "law and order" allowed the exercise of civil and religious rights? It was the Congressmen and their subordinate officials. The morale and prestige of district officials was impaired, for they were directed to act in consultation with local Congressmen. The officials, therefore, could not act with independence and impartiality. It was not unusual that a district official, who happened to incur the displeasure of a local Congress "boss", received telephonic

1. R. Coupland, *India a Restatment.*

orders of transfer. Even the dispensation of justice was interfered with. There were cases of Congressmen trying to influence decisions of the law-courts and of Congress Ministries overriding the decisions of the law-courts.

A few cases showing the highhandedness of Congress Governments may be briefly cited. In a small village, called Chandur Biswas with a tiny Muslim population in the old Central Province of India, there lived a man Jagdeo, who was notorious for his anti-Muslim activities and writings offensive to Muslim sentiments. He took out a procession playing music and shouting anti-Muslim slogans before a mosque at the time of prayer. The Muslim worshippers protested and in the melee that followed many Muslims and Hindus were injured, Jagdeo succumbing to his injuries a few hour later. The Premier of C.P., Mr Shukla, visited the village and made an irresponsible speech charging the Muslims with conspiracy. Under his orders the entire adult Muslim male population totalling 157 persons was arrested for the alleged murder of one Hindu. In the hot weather they were locked up in a small room. The Session Judge, Mr Clarke referring to this lock-up remarked: "This is more suggestive of the conditions in Nazi Germany at the present time than in any enlightened portion of the British Empire."[2] On a representation to the D.I.G. of Police, 114 persons were released and 43 put up for trial. The sorry plight of these Muslims can be gauged from the fact that no evidence could be adduced in support of defence. Six of them were awarded capital punishment and 24 were sentenced to transportation for life. It was a shocking judgement. In response to the C.P. Muslims' request, Mr Jinnah deputed an eminent Bombay lawyer, Mr Somjee, to plead their appeal in the High Court.

The remarks made by the Chief Justice, Sir Gilbert Stone, and Mr Justice Vivian Bose about the prosecution story, prosecution witnesses and the identification parade are noteworthy. The Chief Justice observed: "(1) This is a distressing case. The epithet is justified when we see in this case, where 43 men are

2. *It shall Never Happen Again*, published br All-India Muslim League, 1945, p. 261.

standing their trial on a capital charge, witness after witness whose evidence is false, improved or tutored, going into the box."[3] (2) "It is also a case in which, though this Court is not concerned with politics, it is relevant and necessary to mention certain facts which at first sight appear to give a political tinge."[4] (3) "In the course of the resulting debate on an adjournment motion a number of members thought fit to speak as though it was known with precision what crime had been committed. And so far as one member was concerned indications were given as to who had committed the crime of murder. In the course of that debate the Premier, Mr Shukla, himself did not hesitate to use the word "murder" and to indicate that this was a case of ruthlessly carried out plan. I mention this only for two purposes: (*i*) to explain the very extraordinary occurrences which followed shortly thereafter and the difficulties of the police and prosecution and (*ii*) to deprecate such observations which have in this case resulted, in my opinion, in the evidence being so improved, connected and tutored as to result in its being absolutely worthless, with the result that instead of those guilty of crime being brought to conviction no one is convicted."[5] Mr Justice Vivian said: "(1) It is only necessary to quote these figures to show the tragic farce into which these proceedings had degenerated. And yet it was on the strength of these open identifications, that 145 men and boys are arrested and locked up for the night in a room 30′ × 20′. (2) This is the *comic opera* story we are asked to believe by the prosecution."[6]

During the time these men were in jail, their women and children had to undergo terrible sufferings for they were subjected to economic boycott by the Hindus. Their sufferings were somewhat mitigated when Muslims from neighbouring villages came to their rescue. This case constituted a glaring example of tyranny and oppression on a helpless minority and of flagrant interference with the course of justice by a self-styled "popular",

3. It shall Never Happen Again, op. cit., p. 262.
4. Ibid., p. 262.
5. Ibid., pp. 262-63.
6. Ibid., 263.

"national" government!

Another case of Congress Government's highhandedness deserves to be mentioned since it is corroborated by not less a person than Maulana Husain Ahmad Madani, who was all along associated with the Congress. Tanda, a town in Eastern U.P., was populated largely by Muslim weavers who were generally pro-Congress. The following extracts from a statement issued by the Maulana on the firing which took place in this town on August 21, 1938 speak for themselves: "In front of the Chowk mosque runs a lane along which no procession of Hindus with music came towards the mosque and wanted to pass in front of it. Some Muslims stopped them and asked them to go back as it was against custom; the Hindus insisted on passing and the crowd increased. In order that the processionists might not turn back, some Hindu ring-leaders barricaded the road at the rear of the procession. Discussion continued for two hours after which the Tahsildar came. After hearing the dispute, the Tahsildar said that he would see the records whether there was any precedent: saying this he went away. The crowd did not attack the police nor did they indulge in any violence.

"After some time suddenly the S.D.O. and sub-inspector of police came to the scene. He asked the police to surround the crowd and ordered firing without warning. Although the first shot dispersed the crowd yet 18 or 20 rounds were fired. Wherever a few Muslims were seen together they were fired upon. Afterwards there was indicriminate *lathi*-charge. All Muslims who could be caught hold of, were tied with ropes and assaulted with kicks and fists. Some of the officials of Fyzabad were among the assailants. The wounded were not attended to for a long time after the firing. Some people were inside the mosque for prayers before the firing had begun and they had closed the door when they heard firing. The police bolted the door of the mosque from the outside; the Muslims inside the mosque were brought out and mercilessly beaten. The arrested persons were taken to the police station, tied with ropes, again assaulted and packed into small rooms. When they were thirsty and asked for water they were told to drink their urine. The S.D.O. ordered that no telegrams should be allowed to be sent out from Tanda

and no passengers should be allowed to leave Tanda by train. The next morning trains left Tanda without any passenger."[7] This is the testimony of a Muslim "divine" whom the Congress counted among its loyal supporters and made use of at the time of elections!

A typical example of how barbarous outrages were perpetrated with impunity on helpless Muslims in Congress-governed provinces is provided by a heinous crime committed in a village, Tilkori, in Bihar. A Muslim villager had purchased some beef to entertain his friends on the occasion of the wedding of his daughter. Suddenly the Hindus accused him of having killed a calf belonging to a Hindu villager. Inspite of the Muslim villager's protest and although the butcher testified that they had purchased the beef from him, the Hindus attacked him and his guests. The hands and feet of the Muslims were bound and tied to their necks. Then the Hindus brought a pig from the house of a Harijan and rubbed the beast's mouth against the mouths of the Muslims, saying: "This is the revenge of your eating beef." The Hindus entered the *zenana*, pulled away the clothes of the Muslim women, assaulted and dishonoured them.

When these men were put up for trial, the trying court did not believe the allegation about the rubbing of the pig's mouth. Instead the court made the preposterous suggestion that a compromise may be effected by paying a magnificent sum of Rs. 200 to the aggrieved Muslims. The very idea of precuniary compensation for such inhuman degradation and brutal treatment was revolting and intolerable. The 43 Hindus, accused in the case, were given shelter in the office of the Town Congress Committee which was in the house of a Congress Parliamentary Secretary. A few of the accused were convicted. They appealed to the Sessions Judge who, however, upheld the sentences passed by the lower court but characterised them as "astonishingly low". The Government, however, did not appeal for enhancement of the sentences nor against the acquittal of the accused under certain sections. This case shows that under Congress rule the law of civilisation ceased to operate and the law of the jungle

7. It shall Never Happen Aagain, op. cit., pp. 65-6.

prevailed so far as the Muslims were concerned.

Two other cases of discrimination against Muslims and glaring interference with dispensation of justice may be noted. Mr Yusuf Sharif, who had betrayed the Muslim League after his election to the C.P. Legislative Assembly on the League ticket had been appointed Law Minister in the C.P. Congress Cabinet. Two Hindus and two Muslims who had been sentenced to various terms of imprisonment in a case of criminal assault on a young girl submitted a mercy petition to the Government. Considering the doubtful character of the girl and the sufferings already undergone by the accused, Mr Sharif reduced their terms of imprisonment. This was a usual practice of Governments and Mr Sharif had previously exercised the discretion in favour of Hindus in as many as 55 other cases. But the Hindus raised a storm of protest against Mr Sharif's action in the case mentioned above. The Congress High Command appointed a retired High Court Judge, Sir Manmathanath Mukerji, to hold an inquiry. He reached the conclusion that Mr Sharif did not overstep the bounds of authority, nor showed any communalism or dishonesty but, considering the facts of the case, it could be said that he committed an error of judgement. Expression of this opinion was outside the terms of reference of the Inquiry Commission. In any case it was not a crime for which a Minister should be removed from office. However, under orders of the Congress High Command, Mr Sharif had to resign.

An entirely different attitude was adopted when a Hindu was involved in a similar case. Mr Mehta, who had succeeded Mr Sharif as Law Minister, completely set at liberty, a Hindu who had been sentenced to death by the Sessions Court for killing a Muslim girl by making her take poison and whose appeal had been rejected by the High Court. The Musalmans strongly protested against this action. Even the Bar Association of the Nagpur High Court expressed abhorrence at this misuse of authority by the Minister. But the Congress High Command turned down all demands for inquiry.

The *modus operandi* of Congress Governments was as follows: The Muslims were provoked and oppressed; if they

resisted they were subjected to *lathi*-charge, firing and arrest; if they protested against injustice and highhandedness, they were accused of fanning communalism and were dubbed "communalists" and "reactionaries".

It is not possible to quote here hundreds of cases of tyranny and oppression practised on Muslims and the Congress Governments' failure to secure them justice. They were collected and published in the following documents: (1) "Pirpur Report" published by the All-India Muslim League, (2) "Sharif Report" published by the Bihar Provincial Muslim League, (3) "Congress Raj in C.P." by Hakim Asrar Ahmad, (4) "Muslim sufferings under Congress rule" by Mr Fazlul Haq, (5) "It shall never happen again" published by All-India Muslim League. The few cases cited above are only illustrative, but they are sufficient to prove three things: (1) The Congress on attaining partial power in a number of provinces showed no spirit of conciliation or compromise, but used their power to establish Congress Raj which was just another name for Hindu Raj; (2) The Congress Governments disregarded all accepted norms and traditions of democratic and responsible government in so far as treatment of minorities, especially the Muslims, was concerned; (3) The Muslims were subjected to highhandedness and oppression and could expect no justice from the Congress Governments. The remarks of the British writer, E.W.R. Lumby, in this connection are pertinent: "The policy of the Congress Governments had the effect of intensifying Muslim fears. Just as the Congress Party had already become penetrated with the ideas and methods of Gandhi, so now the same philosophy began to colour the policy and administration of the Governments which the Congress controlled . . . . . No doubt there were a number of cases of greater or less importance where local Congress bosses or Congress-minded Government officials acted unfairly or tactlessly emphasised those aspects of the policy of their party or their Government which were most likely to give offence to the Muslims, and the Congress educational policy certainly had a marked Hindu and Gandhian aspect."[8]

8. E.W.R. Lumby, op. cit., p. 22.

Cultural and Economic Suppression of Muslims Under Congress Rule

Basides the questions already discussed, there were three other important matters—language, education and economic policy—in regard to which the Congress Governments attempted to deprive the Muslims of their legitimate rights. Before the Congress, under Mr Gandhi's influence, had adopted a chauvinistic attitude, Urdu was generally considered the *lingua franca* of India. It had come into existence as a result of the mutual intercourse of Muslim and Hindu peoples and the inter-action of different languages—Arabic, Persian, Sanskrit and Turkish—in the days of Muslim rulers. At one time Hindus too had co-operated in the growth of Urdu language and literature. But ever since the reorientation in the political policy of the Hindus leading to the designs of Hindu Raj, Urdu was given the go-by and attempts were made, with Mr Gandhi's blessings, to force Sanskritised Hindi, which many Hindus themselves did not understand, on the whole country. Attempts were also made to change the name of Urdu itself into Hindustani, so that the next step of obliterating Urdu altogether and installing Hindi in its place might become easier. But the Muslims saw through the ruse and resisted the attempt. The Congress leaders, especially Mr Gandhi, the moving spirit of the Congress, made no secret of their avowed intention to make Sanskritised Hindi, the language of the country, which was quite in keeping with the idea of Hindu Raj. In the educational reform which the Congress Governments sought to introduce enforcement of Sanskritised Hindi was one of the main objects. The Muslims naturally apprehended that the eclipse of Urdu would mean a great blow to their separate national identity. For, language is a powerful factor in the building up of a nationality; it is the real repository of a people's cultural heritage, traditions and contributions to world civilization; it is the mirror of a people's mind, its thought, its culture and aspirations. Thus, the question of protection of Urdu became part of the Muslim national problem.

Closely linked with the question of language was the educa-

tional problem. Before the advent of provincial autonomy the educational policy was entirely in the hands of the British. That policy closely followed the lines laid down by Lord Macaulay—namely the Indians should be given English education in such a way that in course of time a generation of Indians might grow up which, though Indian in colour and race, would be thoroughly Westernised in thought and outlook and would serve to carry on the British administrative machinery. The policy did succeed to a considerable extent. But since the passing of a limited amount of power in the hands of Hindu majority, attempts were made to remould the educational system, particularly in the primary stages, to subserve the central aim of Hindu Raj. To that end, a scheme of primary education, known as the "Wardha scheme" of education, was evolved under the guiding genius of Mr Gandhi. The details of the scheme were worked out by Dr Zakir Husain, then Principal of the Jamia Millia, Delhi.

The scheme had a definite political motive behind it—namely the obliteration of Muslim culture by subtle methods and preparation of a generation which would cease to be Muslim in thought, character and action. The scheme was based on two basic ideas—the doctrine of *ahinsa* (non-defence) and the concept of territorial nationalism. Both cut at the root of the fundamental beliefs of the Muslims. They rejected the doctrine of *ahinsa* for their faith enjoined on them the duty to fight in the cause of righteousness and against evil when and wherever necessary. The insistence on this doctrine was only meant to root out from the Muslim youths their martial spirit and tradition. Even the question of food was taken into consideration; the scheme contemplated making common food, which meant vegetarian food, compulsory for all children. Muslims are a virile race, being meat-eaters; it was sought to rob them of their virility by addicting their younger generation to vegetarian food. Similarly, the principle of territorial nationalism militates against the Muslim view of nationalism which is based on a philosophy of society and outlook on life rather than mere association with a territorial boundary. The emphasis laid on nationalism in the scheme was calculated to destroy the distinctive identity of

Muslims and to merge them in the nationalism of the Hindu majority.

The whole trend of the Wardha Scheme was to impress on the mind of the Muslim child the inferiority and impotence of Muslim culture and to establish the revival and supremacy of the primitive Hindu culture of Vedic times. Text-books were prepared with this end in view. The Muslim children were taught, under the scheme, to believe that all religions were equally true and to study the life of the Holy Prophet only as an Arabian apostle in the setting and background of Arabia, so that they might cease to hold the cardinal Islamic belief that Islam is the final Truth and their Prophet is a Universal Teacher, and then the process of the merger of Muslims in the Hindu fold might be facilitated. Sir Reginald Coupland's remarks on the impact of the Wardha Scheme on the Muslims may be noted: "Ironically enough, it was one of the best features of the Congress regime, its active interest in popular education, which excited most suspicion. It was not only Mr Gandhi's notorious enthusiasm for the teaching of basic handicrafts; Hindu faith, to accord ceremonial, almost a religious, reverence to the Mahatma. Some of the text-books too seemed to glorify Hinduism at the expenses of Islam. Were not Muslim children being insensibly and insidiously indoctrinated with Hindu ways of thought?"[9] The Congress believed that what the Congress as a political organization could not do openly, namely merge the Muslims into Hindu nationalism, the Wardha Scheme of education would accomplish by slow but sure methods. This was but another instance of the fundamental clash of national ideals between Hindus and Muslims.

Even in regard to economic questions the Congerss Governments so devised and manipulated measures as to hit the interest of the Muslims. Heavy taxes were levied on such trades as were in the hands of the Muslims. They were largely excluded from the benefits of social welfare schemes. Even the so-called socialists discriminated against the Muslims in practice. The execution of beneficent schemes was in the hands of Hindu

3. R. Coupland. *India a Restatement.*

officials who saw to it that the Muslims did not get their due share in the benefits. Most departments and services of the Governments were almost wholly manned and officered by the Hindus. Of course, this was a legacy of pre-Reform days. But the position became worse since the assumption of office by the Congress. The demand of Muslims for adequate representation in services and even admission to technical and professional institutions was ignored on the specious plea of merit and efficiency. Muslims were gradually squeezed out of key positions. Muslim schools, maktabs and charitable institutions received no encouragement from Congress Governments. The policy, on the other hand, was to exterminate them gradually. Mr Penderel Moon, who served as an I.C.S. officer for over thirty years in India, throws light on the Hindu attitude towards the Muslims: "They (Hindus) might say the Muslims were their brothers but would in fact treat them as less than step-brothers. A few leaders might be sincere in their intentions, but the ingrained exclusiveness of most of the high-caste Hindus was bound to assert itself, so that at most only a few hand-picked Muslims would be embraced as brothers and the rest relegated to the position of out-castes."[10]

The Congress leaders, inspite of their professed solicitude for the peasants, had no scruples in opposing the Tenancy Bill of the Bengal Government, because most of the landlords in that province were Hindus and the peasants Muslims. But in the U.P., they insisted on an ill-conceived tenancy law to persecute the landlords, no matter whether it would do real good to the peasants or not for the Muslims had some share in the landownership. In the Punjab, the Congress Party, backed and aided by the Congress "Centre", vehemently opposed such bills as Restitution of Mortgaged Lands Bill, Moneylenders Bill and Sales Tax Bill and went to the extent of calling them "black bills", although they were calculated to afford relief to the common people groaning under the heavy load of debts and to distribute the economic burdens between the urban commercial classes and the rural classes, because the money-grabbing

10. Penderel Moon, *Divide and Quit*, p. 289.

usurers and the commercial middlemen were Hindus. But in Bihar where Hindu landlords were strong, the Congress readily entered into a compromise with them over the tenancy question. The Congress Governments did not move a finger to touch the moneylenders, the middlemen in various trades and the industrialists who were the real exploiters of the masses, for they were Hindu and financial backers of the Congress. While so much anxiety was displayed to promote the interests of the peasants, practically nothing was done to improve the lot of the labourers. The reason was obvious. Peasants were far larger in number and it was to their strength and support that the Congress owed its position; the labourers were fewer in number and worked under Hindu capitalists. There were frequent labour strikes in the Congress-governed provinces. The Congress Ministries resorted to the same ruthless measures to crush these strikes as Congressmen had been wont to criticise before they came into power. As Sir Reginald Coupland remarks: "Before the Congress Ministries came to an end, there was little to distinguish their methods of repression from those employed in non-Congress provinces or, indeed, under the pre-1937 British regime."[11] It is clear that there was no uniformity of principle in the Congress policy which was only determined by considerations of Hindu domination and retention of power.

Inspite of the failure to get the Muslim League Parties liquidated in the provinces, especially the U.P., the Congress persisted in its efforts to win over the Muslim masses behind the back of the Muslim League. The first regular trial of strength came in a by-election in Jhansi-Bundelkhand constituency in U.P. By this time Jamiat-ul-Ulema leaders like Maulana Husain Ahmad Madani and Maulana Ahmad Saeed had deserted the Muslim League, as Hafiz Mohammad Ibrahim, their favourite candidate, had been included in the Congress Ministry. The Congress entered the contest with many advantages. It was a well-organised party with unlimited funds, a large number of trained workers and volunteers and a powerful Press at its back. It now also had at its disposal the whole official machinery

11. R. Coupland, *India a Restatement.*

which it used to influence the voters. The League, on the other hand, was yet in the initial stage of organization. Its only assets were a small band of devoted workers and the justness of its cause. Fighting against overwhelming odds, the League won the seat by a large majority. The credit for this victory goes to that redoubtable champion of Muslim rights, the hero of many a political battle, Maulana Shaukat Ali, who fought against a whole army of Congress leaders from Mr Nehru downwards and Jamiat-ul-Ulema "divines", almost single-handed. He saved the honour of Muslim India at a critical moment, thus inspiring the Muslims with the necessary feeling of confidence and courage to stand up to the onslaught of Congress chauvinism.

How the Congress used the "divines" of the Jamiat-ul-Ulema as hirelings is evident from a letter written by Mr Jawaharlal Nehru to the late Mr Rafi Ahmad Kidwai on July 5, 1937 in connection with the Jhansi by-election. He wrote: "So far as workers are concerned, a considerable number of them has been sent from outside. Abul Kalam Azad has conveyed information to Husain Ahmad Madani and Bashir Ahmad. He has also wired to Ahmad Said. They should be given travelling expenses. We will try to provide some financial help. I am sure seven hundred rupees have already been given for this election."[12] These Ulema are not even referred to as "Maulana" which shows what their status was in the eyes of the Congress leaders. Inspite of the treatment meted out to them, the "Nationalist" Muslims continued to play the Congress game and create impediments in the way of their co-religionists achieving their due share in freedom.

The hardships and sufferings undergone by the Muslims in the Congress-governed provinces were proving a blessing in disguise. The consequence was that the Muslims shed all apathy and got out of the old rut of thinking. They realised the futility of relying on the socalled "minority safeguards" and the dangerous implications of imposition of majority rule under the parliamentary system, pure and simple, of the British variety

12. Abdul Wahid Khan, *Azadi ki Jang*.

in a heterogeneous subcontinent. They began to think seriously of ways and means to assert their position as a distinct national entity, and it was not long before they found an answer to the problem.